

# CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES



## TRAINING MANUAL

### 2010

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# *Chapter 1. Introduction*

## **1.1 Purpose of the Program**

Consumer Directed Attendant Support Services (CDASS) allows people with disabilities to manage their attendant care. This means you hire, train, supervise, manage, and if necessary, initiate the termination of your attendants.

If your doctor indicates that you require assistance with certain responsibilities, you will need to identify someone to be your Authorized Representative. You may select an Authorized Representative if you feel you want help with all or certain aspects of directing your care.

In CDASS, you control your attendant care, rather than having an agency do it. CDASS gives you flexibility in your daily routine, giving you the opportunity to take greater control of your life.

CDASS is intended to:

- Increase your independence and self-sufficiency
- Improve the quality of attendant support you receive
- Enable you to have a more healthy and productive life
- Allow you greater flexibility and control in managing your support needs
- Places you in the role of making decisions about attendant support

The Colorado Department of Health Care Policy and Financing (HCPF) is responsible for the development and oversight of CDASS. For more information please visit the Department's website at : <http://www.colorado.gov/hcpf>.

## **Purpose of This Manual**

You will use this manual in CDASS training. Feel free to make notes where you have questions. This manual is also a CDASS resource for you to keep. It describes what CDASS is and provides ideas, approaches and suggestions for successful CDASS participation. It was developed with the assistance of attendant support users, the Consumer Direction Advisory Committee and CDASS staff. Once you have completed your training, you or your authorized representative

will need to complete an assessment of your understanding of CDASS. You will be able to use this manual when you are ready to complete the assessment.

## **1.2 WORKING WITH PPL CO**

In CDASS, all clients / authorized representatives must work with Public Partnerships Limited Colorado, LLC (PPL CO). PPL CO is the organization with which the State of Colorado contracts to provide the personnel and financial administration for all CDASS clients.

**PPL CO serves as the employer of record for all of your CDASS attendants.**

After receiving approval from your case manager, and confirming your start date, you will need to work with PPL CO to make sure you and your attendants are enrolled in PPL CO's personnel and accounting systems. There is information included in this manual for details on the enrollment process. PPL CO's telephone number is 1-888-752-8250.

## **1.3 Program Overview**

The basics of the CDASS program are listed below. All of these subjects are covered in this manual as part of your training:

- Are you eligible for CDASS services?
- You choose to direct your attendant care services
- Your monthly allocation is determined (budget)
- Your Case Manager refers you to Public Partnerships Colorado (PPL CO) for training and fiscal management services
- Budget training
- PPL CO provides training and assistance with your Attendant Support Management Plan
- You select your attendants and ensure they complete all necessary employment paperwork for PPL CO
- You schedule, train and supervise your attendant care workers
- PPL CO manages all payroll duties for your attendant care workers
- PPL CO provides Program Support Specialist for ongoing training needs and customer service for questions or concerns

## 1.4 TERMS AND DEFINITIONS

The terms defined below are used by Consumer Directed Attendant Support Services (CDASS). We recommend you become familiar with them.

**Allocation** — Medicaid funds set aside for your monthly attendant support. These funds are made available each month. The initial monthly allocation is determined by your Single Entry Point (SEP) case manager using CDASS rules, Volume 8.510.12.C. The client decides how funds are spent for their care.

**Attendant / Employee** — A person who provides attendant support services to you and serves as your employee.

**Attendant Support** — Support services, including Health Maintenance and Personal Care and Homemaker Services. Attendant services does not include occupational therapy services, physical therapy services or speech/language pathology services.

**Attendant Support Management Plan (ASMP)** — A written plan describing your attendant support needs and plans for services including your plan for handling emergencies. You will develop your plan while in training and revise it as necessary.

**Post-Training Assessment** — An assessment you and / or your authorized representative must pass to complete the attendant support management training.

**Attendant Support Management Training** — Required training that you or your authorized representative must complete before receiving CDASS. This includes Post-Training Assessment provided by PPL CO to you or your authorized representative before you can enroll in CDASS. Training is available in a variety of options which includes group, teleconferencing and one-on-one setting.

**Authorized Representative** — An individual designated by you, your legal guardian or if required by your doctor, if appropriate, who helps administer and manage the CDASS program.

**Case Manager** — A person in a “Single Entry Point” (SEP) agency who provides case management services under the Home and Community Based Services (HCBS) waivers to Medicaid clients.

**Client / Supervising Employer** — A person who (1) meets all CDASS eligibility criteria; (2) has completed the Attendant Support Management Plan; (3) has passed the post-training assessment; (4) has been notified by the case manager of his or her CDASS start date; and (5) begins to receive CDASS.

**Consumer** — A person who receives Medicaid for attendant services and has elected to participate in CDASS.

**Consumer Direction** — An approach to long-term care where clients manage their attendant services. Clients assess their attendant care, decide how their attendant care needs are to be met and monitor the quality of the attendant care services that they receive. This includes recruiting, hiring, setting wages, and initiating termination of attendants when necessary.

**Financial Management Services (FMS) / PPL CO** — PPL Colorado is the FMS for CDASS. The agency that provides skills training to clients and / or authorized representatives, personnel and accounting services. The FMS is the employer of record, which means the legal employer of CDASS attendants.

**Health Maintenance Activities** — Skilled care. These activities can include, but are not limited to, catheter care, administration of medication and ventilator monitoring.

**Reassessment** — A face-to-face meeting between you, your SEP case manager, and authorized representative, if applicable. The purpose of the meeting is to review and determine that your attendant support continues to meet your needs and that you are managing your care and services appropriately.

**Single Entry Point (SEP)** — The designated single access or entry agency within a geographic area where current or potential clients can obtain long-term care information, screening, assessment of need, referral to appropriate long-term care programs and case management services.

**Taxes** — Required deductions from your allocation that must be paid on behalf of employees:

**FICA (Federal Insurance Contribution Act)** — Funds for providing care for the aging, disabled and survivors. Includes funding for Medicare for people who cannot afford medical insurance.

**FUTA (Federal Unemployment Tax Act)** — Finances employment programs at the federal level.



**SUTA (State Unemployment Tax Act)** — Finances employment programs at the state level.

**Worker's Compensation Insurance** — Workers' compensation is a state-mandated insurance program that provides compensation to employees who suffer job-related injuries and illnesses.



## *Chapter 2. CLIENT RIGHTS*

As a Medicaid client, you have the right to appeal decisions and have a fair hearing on those decisions. You have additional rights as a CDASS participant.

### **2.1 Access Appropriate Information**

PPL CO will provide its forms and materials in a format that best meets your needs. This may include large print, Braille, CD and electronic files.

### **2.2 Appeal of a Disapproved Attendant Support Management Plan**

In CDASS, your SEP case manager must approve your Attendant Support Management Plan. If your case manager doesn't approve your Plan, you can request a review. Submit a written request to the SEP case manager stating the reasons for requesting the review and justifying the proposed management plan. Your most recently approved management plan will remain in effect while the review is in process.

### **2.3 Manage Your Attendant Support**

As a CDASS participant, you or your authorized representative have the right to manage your attendant support. CDASS allows you to:

- Choose the person/s you want to hire to provide your attendant support.
- Decide what special knowledge and skills, if any, the person(s) you want to hire must have, such as a certificate as a Nurse Aide or a given number of years of experience.
- Train attendants to meet your needs.
- Dismiss attendants who do not meet your needs.
- Request an allocation adjustment if your needs have changed.

### **2.4 Receive Support for Managing CDASS**

If you would like to participate in CDASS but cannot manage your support, you can designate an "authorized representative" to help you.

## **2.5 Change from CDASS to Agency Services**

Since CDASS is voluntary, you can change back to agency services at any time. To do so, you must contact your SEP case manager to get the process started.

## **2.6 Maintain Medicaid Eligibility**

While in CDASS, your eligibility for Medicaid does not change. Leaving CDASS will not cause your eligibility to change. Of course, other changes in your life—income, health, etc.—could affect your Medicaid eligibility.



## *Chapter 3. CLIENT RESPONSIBILITIES*

As a client in CDASS, you or your authorized representatives have certain on-going responsibilities. These responsibilities are highlighted here, but more detail is provided throughout this manual.

### **3.1 Demonstrate Required Skills and Ability**

In CDASS, you must show that either you or your authorized representative can direct your attendant support. This means that you or your authorized representative knows what to do and how to do it.

You or your authorized representative demonstrates this by:

- 1) Completing CDASS training
- 2) Passing the post-training assessment
- 3) Submitting an Attendant Support Management Plan that your case manager approves
- 4) Managing your budget to stay within your monthly allocation.

### **3.2 Manage Your Health**

You or your authorized representative is responsible for maintaining your health and monitoring your medical condition. If you need medical help, it is up to you or your authorized representative to get it. You will no longer have a home health agency while in CDASS.

### **3.3 Act as the Supervising Employer**

In CDASS, you serve as the supervising employer for your attendants. This means you or your authorized representative:

- Decide wages, and schedules for your attendants.
- Set up hiring agreements.

- Follow all employment laws and regulations.
- Explain the role of PPL CO.
- Give PPL CO accurate and complete forms to get you enrolled and your employees on the payroll.
- Make sure all timesheets are complete, accurate, signed by you or your authorized representative and the attendant, and sent to PPL CO for processing by the specified deadlines
- Keep important records on each attendant, and keep them confidential

### **3.4 Manage Your Attendant Support**

Under CDASS, you or your authorized representative will:

- Meet with your case manager to determine your attendant support needs
- Budget for your attendant support within your approved monthly allocation
- Recruit and interview people to be attendants
- Perform reference checks on attendants you want to hire
- Review criminal background checks on attendants provided to you by PPL CO
- Hire your attendants and set their wages
- Schedule, train and supervise attendants
- Cause attendants to be terminated when you need to
- Follow all laws and rules on employing attendants
- Complete and manage all necessary CDASS paperwork

You have the flexibility of hiring and initiating termination of your attendants. This means you can choose and hire your attendants as long as they can legally work in the U.S. and pass the background checks. You can initiate the process to terminate / dismiss your attendants, but you must contact PPL CO so we can process the paperwork. In hiring your attendants, you are responsible for following employment laws such as paying minimum wage (at least) and not discriminating.

### **3.5 Reconcile Financial Records**

In CDASS, you or your authorized representative must review all of your monthly client statements from PPL CO, making sure PPL CO handles your financial records completely and accurately. Make sure any problems are reported to PPL CO right away.

### **3.6 Manage Emergencies**

Part of your ongoing responsibilities in CDASS are preparing for and managing emergencies. You must describe how you will manage emergencies in your Plan. Having this plan will help you deal with different types of emergencies, such as medical emergencies, hospitalizations, fires, power outages, severe weather, and other natural disasters can help keep you safe and minimize injury or property damage. Include your Attendant in your emergency planning. Keep your emergency procedures list in a place where you and your Attendant know where it is at all times.

When planning you should:

1. Make a list of people to contact for each type of emergency.
2. Make a plan on how to contact family and Attendant if there is a power outage or natural disaster.
3. Make a list of medications and/or equipment that you need to take with you if you have to evacuate your home.
4. Organize medical information, emergency contact information and if applicable, living will information and placing it all together in an easy to access location.
5. Store extra food and water in the case of a severe weather emergency or other natural disaster.

We have included two forms you may want to use or use to help you create your own. We have listed other types of possible emergencies on the form to help you think about each area that may need to be covered.

## Emergency Information

<i>Doctor Name</i>		
<i>Address</i>		
<i>Phone</i>		
<i>Insurance(s)</i>		
<i>Company</i>		
<i>Address</i>		
<i>Phone</i>		
<i>Hospital(s)</i>		
<i>Name</i>		
<i>Address</i>		
<i>Phone</i>		
<i>Family Member(s)</i>		
<i>Name</i>		
<i>Address</i>		
<i>Phone</i>		
<i>Friend(s)</i>		
<i>Name</i>		
<i>Address</i>		
<i>Phone</i>		
<i>Medical Information:</i>		

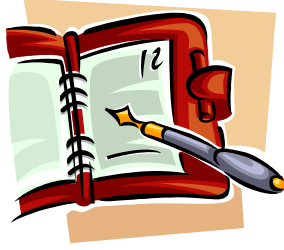
## Emergency Procedures

Disability Related Emergency:	
Who to Call:	
Phone	
Important	
Non-Disability Related Emergency:	
Who to Call:	
Phone	
Important	
Severe Weather or Natural Disaster:	
Who to Call:	
Phone	
Important Information and Plan	
Power Outage:	
Who to Call:	
Phone	
Important Information and Plan	
List any Allergies:	
Who to Call:	
Phone	
Important Information and Plan	

### Additional Phone Numbers

Police Department:		Fire Department:	
Poison Control:		If in doubt, dial: <b>911</b>	





## Chapter 4. PLANNING AND ORGANIZING ATTENDANT SERVICES

### 4.1 Determining Your Attendant Needs

Before you begin recruiting attendants, be clear about your needs. Careful planning in the beginning will be a BIG help, saving you time and frustration later.

#### Attendant Tasks

Decide what your attendants will do. Develop a “tasks” checklist, noting how often tasks must be performed. Your checklist will help you determine how many hours per day, week, and month you require attendant support. Remember, a checklist can assist you in two ways:

- 1) It can ensure that you kept track of everything you thought of that needs to be done and
- 2) It is an excellent tool when you are talking with potential attendants.

Use the sample below to help you build your tasks checklist.

#### Sample Attendant Support Tasks Check List:

#### Attendant Support Task Planning List

Tasks	SUN	MON	TUES	WED	THUR	FRI	SAT
Homemaker Services							
Routine light housecleaning							
Meal preparation							
Dishwashing							
Bed making							
Laundry							
Shopping							

Tasks	SUN	MON	TUES	WED	THU	FRI	SAT
Personal Care Services or Health Maintenance Activities							
Bathing							
Skin care							
Hair care							
Nail care							
Mouth care							
Shaving							
Dressing							
Feeding							
Ambulation							
Exercises							
Transfers							
Positioning							
Bladder care							
Bowel care							
Medication assistance							
Respiratory care							
Accompanying							
Protective Oversight (only if authorized by the Case Manager)							

### Number of Attendants

Decide how many attendants you need. One attendant doing all the work will likely lead to burn out. With several attendants, you have more choices in scheduling, and you have more options for backup and emergencies. Using several people will make changing attendants less of a hassle.

### Hiring Spouses, Family members, and/or Family Member Legal Guardians

Family members and/ or family member legal guardian may be employed by PPL CO to provide CDASS services, subject to the conditions below. For the purposes of this section, family is defined as all persons related to the client by virtue of blood, marriage, adoption, or common law.

1. The family member and / or family member legal guardian may be employed by PPL CO and be supervised by the client and/or Authorized Representative if providing CDASS.
2. The family member and / or family member legal guardian providing Personal Care, Homemaker, and / or Health Maintenance Activities shall be reimbursed at an hourly rate by PPL CO with the following restrictions:
  - a. A family member and / or legal guardian shall not be reimbursed for more than forty (40) hours of CDASS in a seven-day period.

- b. A spouse may only be paid to furnish extraordinary care as determined by the SEP Case Manager. Extraordinary care is determined by assessing whether the care to be provided exceeds the range of care that a spouse would ordinarily perform in the household on behalf of a person without a disability or chronic illness of the same age, and which are necessary to assure the health and welfare of the client and avoid institutionalization. Extraordinary care shall be documented on the ASMP.
3. A client and/or Authorized Representative must provide a planned work schedule to PPL CO a minimum of two weeks in advance of beginning CDASS, and variations to the schedule shall be noted and supplied to PPL CO when billing.
4. A client and/or Authorized Representative who choose a spouse as a care provider, shall document the choice on the Attendant Support Management Plan.

#### **4.2 Attendant Guidelines**

Some of your attendants' habits and behaviors might annoy you. To address this ahead of time, develop a list of guidelines that you expect attendants to follow. Have this list ready to share with applicants you want to hire. Think carefully before deciding to hire someone who has problems with your guidelines. This could lead to much bigger problems later on.

Give a lot of thought to the issue of confidentiality. It is likely your attendants will learn a lot about your personal life. Be clear that your private life and business stays private. You will trust your attendants with many personal issues. Be clear about how you expect your attendants to handle that trust. Think about the following questions as you write up your attendant guidelines:

How will you deal with an attendant who is late?

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How and when should an attendant let you know when (s)he will be absent?

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When is it okay for an attendant to use your personal property?

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Can an attendant have visitors in your home? When? How often? How long?

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How should an attendant relate to others who live in your home? Should the attendant take direction from them? When? Under what circumstances?

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How should an attendant behave during your social activities?

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Will having friends or family as attendants lead to relationship problems?

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On what grounds might you cause an attendant's employment to be terminated with you?

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Some actions by an attendant will give you grounds for immediate termination. In your guidelines, state and support grounds for immediate termination through actions such as:

- ◆ Coming to work under the influence of drugs or alcohol
- ◆ Stealing from you
- ◆ Abusing you in any way (physically, verbally or psychologically)

### **4.3 Developing an Attendant Support Management Plan**

The Attendant Support Management Plan is a written document describing how you will manage your attendant support while in CDASS. Your case manager must approve your Plan before you start CDASS. Your Plan **MUST CONTAIN** the following. Use this checklist to ensure you have covered everything.

- A description of your needs for attendant support and other services
- How you will get the attendant support you need
- Whether you will need attendants to perform health maintenance activities
- Whether you are able to train your attendants to perform activities you need
- How you will handle emergencies related to your attendant care

Your Plan should have enough detail to allow your case manager to assess your ability to manage your attendant care.

### **4.4 Directing Attendants in Health Maintenance Activities**

Health Maintenance Activities are skilled activities another person must complete for you so that you can stay in good health. They are health-related activities that you would do yourself if you were able. Some health maintenance activities are:

- Caring for a catheter
- Monitoring for a catheter
- Giving medications
- Caring for a minor wound or injury

If you will be directing attendants to perform health maintenance activities, you must either train your attendants to perform these activities, or you must have a plan for making sure they are trained by a health professional or other appropriate person.



## *Chapter 5. MANAGING YOUR HEALTH*

CDASS puts you or your authorized representative in control of your services, rather than putting an agency in control. In CDASS, a nurse from a home health agency will not check on you. You must monitor your health. You must make sure you and your attendants know how to spot health problems and what to do about them. (You can arrange and pay for regular visits by a nurse if you want, as part of your attendant support program.) This manual is not designed to teach you all you need to know about your health. You have most likely been monitoring your condition for some time and probably know your body better than anyone. So, you can probably monitor your health just fine while participating in the CDASS program. However, here are a few questions to consider:

- Do you tend to have certain illnesses or health problems?
- Do you know how to tell when those problems are coming on?
- Do you know what to do to manage those problems?
- Do you know when you should see a doctor?
- Does your condition have symptoms that could require special medical attention?  
Can you monitor those symptoms yourself? If not, have you trained your attendants to assist in monitoring? Do you know what to do if those symptoms show up?
- What happens when you do not deal with health issues?
- Do you get sick easily and become very ill? Do you know what to do in these cases?  
Make sure you and your attendants know how to spot health problems and what to do about them.
- Do you take any medications that might have side effects?  
Do you know how to watch for those side effects?  
Do you know what to do if you experience such side effects?
- Do your attendants know what they need to know about your medications?
- Are there any routine medical procedures that your home health agency has managed in the past for you?  
Do you have a plan for handling those procedures?  
What is your plan?

- Do you have a plan for handling emergency health problems?

Have you trained your attendants what to do in case of emergencies when you are not able to provide direction?

## 5.1 What To Do If You Have an Acute Care Episode

While receiving CDASS, you could experience an acute health need, which could cause you to need care from a hospital or home health agency. An acute health need is a short-term care need that arises from such things as a sudden downturn of a chronic illness, a wound, a serious infection or the need for care after surgery.

If you have an Acute Care need while receiving CDASS, your regular Medicaid benefits will cover this need. It will not be covered as part of CDASS. **In order to be approved for increased Medicaid coverage, additional care must be authorized by a physician and cannot continue past 60 days. If it continues beyond 60 days, it becomes a long-term care need.**

An acute care need often follows hospitalization; **keep in mind that your attendant(s) will NOT be paid while you are hospitalized.** In those cases, a hospital discharge planner should coordinate getting your acute care set up through an agency. The hospital discharge planner will have to get your doctor's approval for this additional care. In these cases, the following steps should occur:

- 1) Prior to your hospital discharge, you must inform the discharge planner that you receive CDASS. He or she will want to know the kinds of support you have available to you, including your attendant services through CDASS.
- 2) Upon the doctor's recommendation, the discharge planner will help to arrange any additional short-term support services you may require (i.e., skin issues, wound care, catheter care, tracheotomy care, etc.)
- 3) A home health or personal care agency will provide these doctor-recommended acute care services. These should be provided in addition to your regular CDASS attendant services.

**If the condition leading to your need for acute care does not improve and becomes an additional long-term need (beyond 60 days), you must contact your case manager to reassess your level of care and long-term needs. This may result in an increase in your CDASS monthly allocation.**

Your case manager will reassess your needs and submit a new authorization to the CDASS case manager for approval. Upon approval of request, you are responsible to direct this additional attendant care including training your attendants to perform any new tasks you require them to complete.

### **Conditions That Prohibit Paying Attendants**

CDASS cannot be used while a client is an inpatient at a hospital or other long-term care facility (such as, a nursing facility, Assisted Living Facility, etc.). The fee paid for hospitalizations or other long-term facility stays includes the care that attendants perform for the client in CDASS. Therefore, services cannot be duplicated by CDASS attendants while a client is an inpatient of a hospital or other facility. **If you or your authorized representative allow an attendant to be paid while the client is an inpatient in a hospital or other long term care facility, it will be considered misuse of the monthly allocation and the client will be at risk for involuntary termination from CDASS.**

## **5.2 Recognizing Health-Related Emergencies**

As an important part of managing your health, you should know how to recognize when you might be having a life-threatening, medical emergency. Here are some typical indicators:

- Chest pain
- Shortness of breath
- Severe bleeding
- Worsening infection
- Color change or drainage of a sore





## Chapter 6. BUDGETING

In CDASS, one of your most important responsibilities is to budget your allocation. Without a budget, you risk overspending, which is grounds for removal from CDASS. Budgeting is not difficult, it just takes a great deal of thought and planning. Basically, you need to ask yourself three questions:

- 1) What do I need to know about my monthly allocation?
- 2) **What will the attendant services cost?**
- 3) How much money do I have to spend?

Detailed answers to these questions will provide you with the basics for a good budget.

### What Do I Need?

By now, you should have a good idea of the type and amount of attendant support services you will need.

#### What Will My Attendant Services Cost?

You need to look at all of the costs of managing your attendant support, such as wages, taxes, and worker's compensation insurance. **You need to budget for emergencies and unplanned situations.** Finally, you might want to increase the wages of your attendants in the future.

### 6.1 Wages

The wage you pay your attendants depends on many things. At the least, you need to be sure the wage is fair and that you can afford it. Keep in mind that good work is not always the result of high pay, nor is poor work the result of low pay. It is your responsibility as the supervisor to pay your attendants for the hours they have worked.

#### What do I need?

- How much money do I have to spend?
- What will the required attendant service cost?
- What is the total hourly cost to pay an attendant (review current "Show Me The Money")

Your allocation is calculated from the set Medicaid category rates for Personal Care, Homemaker and Health Maintenance Activities and your need for these services. Some things you might want to consider:

- An increased hourly rate per hour may decrease your allocation amount and may limit the amount you can pay for on-call or emergency care.
- if you pay a decreased hourly rate additional allocated funds will be available for on-call or emergency care

In addition, if your needs change or you feel you need additional care, your case manager will reassess your needs. If the wages are too high or you have not had a significant change in your condition, your case manager may not be able to justify an increase in your allocation.

Here are some questions to consider regarding wages:

1. What is the going rate for attendants in your area?
2. Does where you live have any influence on pay levels? (for example, is your home difficult to get to, or a long drive for the person you wish to employ? Or, are in an easy to get to area with quick, easy access to all major conveniences?)
3. Will you pay different wages based on the person's skill and experience?
4. Do your attendants need skills that require a higher wage?
5. If you need attendants to work at odd times, like very early mornings or Saturday nights, will you pay more for those times?
6. Will you give raises to attendants who have been with you a long time? You will need to discuss this with your case manager and support broker to ensure proper long term budgeting.

### **Taxes and Workers' Compensation**

The law requires you to contribute to workers' compensation and to certain taxes on the wages of your attendants. These include FICA (Federal Insurance Tax), FUTA (Federal Unemployment Tax) and SUTA (State Unemployment Tax). This means your actual attendant costs will be higher than just the wages you pay them. PPL CO will provide you with a chart that shows you your employee's wage and how much actually comes out of your budget in order to cover all necessary costs.

## Benefits

Another cost that you should consider when setting wages are benefits. Medicaid rules and regulations **DO NOT ALLOW USE OF YOUR allocation to pay attendants directly for benefits, such as; paid time off, etc.** However, you do have the option of increasing an hourly wage to help an attendant afford the cost of benefits such as these, but you cannot force an attendant to use his or her wage in this way. With the understanding the attendant may not use that wage for this purpose.

Some other things to consider about benefits:

- Will the cost of benefits be worth it to get “better” attendants?
- Are attendants more likely to stay if they have benefits?

## Unexpected Situations/Emergencies

We strongly recommend that you budget for emergencies and unexpected situations where you may need to pay more for your care. One way to do this is to budget into your month several extra days. For example, rather than budgeting for a 31-day month, budget for a 33- or 35-day month so you will always have some extra funds. Refer to the **Emergency Backup & Safety and Prevention Strategies** brochure regarding emergencies and unexpected situations.

**Note:** Your “acute care” benefits under Medicaid are separate from CDASS, so you will not need to cover acute care costs with your CDASS allocation. For more about accessing acute care benefits, see Section 11.

You will need to plan for the unexpected, such as a sudden short-term illness. Think about a past situation where you needed a lot of extra attendant care.

- What were your needs?
- How often might this situation come up?
- How long might it last?
- Will emergency or short notice attendant care cost you more?
- Can you afford to pay your “emergency” attendants a higher wage?
- Will your budget be enough to cover additional attendant support for a lengthy period: one week, two weeks, or a month?
- Do you have a support system who can provide help during such a time?

## 6.2 How Much Money Do I have to spend?

Your allocation is the amount you have to spend each month. The definition of allocation is in Section 1. Below are the requirements for determining allocations. For a copy of the CDASS Allocation Determination requirements, contact your case manager.

### Initial Allocation

In CDASS, you and your case manager meet to review your needs; the case manager will use the information gathered during this assessment to determine your allocation. The case manager will review all the Personal Care, Homemaker and Home Maintenance Services Medicaid paid on your behalf. This is called your “utilization history”. The case manager will evaluate your current needs and determine if your utilization history supports your current needs. If so, then your case manager will calculate a monthly allocation based on that history. If not, or if you have no history, your case manager will review your current needs and calculate the allocation based on your present assessed need for personal care, homemaker and/or health maintenance activities.

### Adjusting Your Allocation

**If you have a significant change in your condition or believe your allocation is not appropriate to meet your needs, you have the right to ask your SEP case manager for an allocation adjustment. Your case manager is required to meet with you every six months to determine if you have had a change in your condition, and assess how CDASS is supporting your needs.**

If it is necessary to adjust your monthly allocation, your case manager must consider the following:

- Changes in your condition
- How much you are paying your attendants
- The quality and quantity of services you are receiving
- Ways to revise your budget so you can pay for needed

Services

If your case manager approves an increase in your allocation, you will need to submit a budget worksheet to your case manager using the new allocation for review and approval by your case manager prior to the effective date of the increase.

If your case manager, decreases your allocation or does not approve a request for an increase they will provide you with information about your appeal rights.

## **Certification Period**

SEP case managers are required to authorize CDASS services for no more than a twelve-month time period. **This time period is called your certification period** and establishes the start and end dates for your CDASS as well as the monthly allocation amount authorized by your case manager.

You may have heard your case manager refer to this period as your “cert period”. If you do not know what your certification period is, look on your monthly client statement or ask your SEP case manager. It is important for you to know your certification dates for two reasons:

1. If you under-spend one month, the unused funds will roll forward and be available for you to use for emergencies or unexpected situations until your certification end date.
2. If you spend more than the monthly allocation, PPL CO will deduct the overage from the overall amount authorized, leaving you with fewer funds to work in the following month(s).

## **Over Spending**

Case managers use a Certification Period to authorize CDASS services. The monthly allocation is somewhat flexible. If you have an emergency or unexpected situation arise and you have unused funds in your account managed by PPL CO, you may use these funds to cover your overspending. However, if you use your unused funds you should contact your case manager and let them know.

In the event that you do not have unused funds and you overspend you will be required to adjust your following months spending to compensate for previous overage(s). If you do not adjust your spending, you will be at risk of running out of funds before the end of your certification period. Using all of your allocation before the end of your certification period may result in you being required to designate an authorized representative or you being disenrolled from CDASS.

## **6.3 What Else Should I Be Aware Of?**

You have to budget for a monthly allocation, consider not all months are the same. You may also need certain types of care daily and others weekly. Keep in mind the following:

- **Calculate daily attendant costs** – When calculating how many hours an attendant works in a week, you might want to think in terms of hours per day. Months do not contain an even number of weeks. The CDASS Program uses 4.3 weeks per month for budgeting, as does the Attendant Support Management Plan.

- Number of days in a month – Not all months have the same number of days. This means your costs will be more in January (a 31-day month) than in February (a 28-day month). How should you budget for this since your monthly allocation is a fixed amount? If you budget for a 33- to 35-day month, you should always be within your budget. At a minimum, you should budget for a 31-day month, which will cover you for every month in the year.
- Scheduled weekly visits – If you want an attendant to come once a week on the same day each week, this will take some special planning. Sometimes a day of the week occurs not just four times a month, but five. Budgeting for four visits a month on Monday, for example, will not be enough for months that have five Mondays. So look carefully at a calendar or simply budget for five visits a month.

## 6.4 How to Develop a Budget

Budgeting is the most important responsibilities you will have under the CDASS Program. You will need plenty of time to prepare your budget so your needs will be adequately met or you could overspend your allocation amount. Give it your full attention, but do not allow it to overwhelm you. Instead, take it one manageable piece at a time.

Below is a sample budget you can use as a guide. It has been broken down into seven easy steps. Be sure you examine each step and understand it before moving on to the next step. For more information on the budgeting plan, refer to the Attendant Support Management Plan (ASMP) Instruction Document ( end of chapter).

1. **Monthly allocation:** \$3,059.64

2. **Tasks**

Tasks	Times per day / week	Total Hours
Routine light housekeeping	1 / 4	4
Meal Preparation and clean up	3 / 7	21
Dressing	2 / 7	14
Hours Per Day		39

3. **Number of Attendants:** 2 attendants, one for mornings, and one for evenings

4. **Hours of Work:** The morning attendant works 24 hours a week. The evening attendant will work 15 hours a week

5. **Days in a Month:** This example budgets for a 33-day month: 31 days for a “long” month plus 2 extra days for emergencies and/or unexpected situations.

**6. Weeks in a Month:** To determine cost per month for attendant support services, multiply the weekly total by 4.3 (52 weeks divided by 12 months)

**7. Amount available for Emergency Backup:** Subtract cost for attendant support from your allocation

In this example, you want to pay your morning attendant \$13.00 per hour and your evening attendant \$13.75 per hour. You will find the cost to you on the “Show Me the Money” Table wage paid versus actual cost chart.

The tax rate can change every year, but in this example, use the current year’s Total Cost Factor of 0.1472. Therefore, the cost to you for an employee wage of \$13.00 is \$14.91 and the cost to you for an employee wage of \$13.75 is \$15.77.

For this example, budget the number of weeks in a month for each attendant. Then multiply your cost per hour by the hours your attendant will work that week.

Attendant	Rate of pay per hour	Your cost per hour	X	Hours per week	=	Amount per week
Morning Attendant	\$13.00	\$14.91	X	24	=	\$ 357.84
Evening Attendant	\$13.75	\$15.77	X	15	=	\$ 236.55
Back-up Attendant						
a) Amount Per Week Total (\$357.84 + \$236.55)						\$ 594.39
b) Amount Per Month Total (\$594.39 x 4.3)						\$2,555.88
Your Monthly Allocation Amount						\$ 3,059.64
Subtract Amount from Line b						- 2,555.88
c) Unspent Funds (\$3,059.64 - \$2,555.88)						\$ 503.76

- a) So far, you know that your morning attendant will cost you \$357.84 per week and your evening attendant will cost you \$236.55 per week. Next, add the amount per week for each attendant, which totals \$594.39.
- b) You now want to know how much it will cost you for attendant support per month. In this sample, determine the amount per month for attendant support. Multiply the amount per week total by 4.3 to determine the cost for your monthly attendant support. This amount equals \$2,555.88.
- c) You can now determine how much is available for emergency/back-up, if any. Subtract the amount per month total of \$2,555.88 from your initial monthly allocation of 3,059.64. In this example, you have a difference of \$503.76. You are

within your budget and can use this amount for your emergency/back-up care. If your amount per month total is more than your initial monthly allocation, then you are over budget and need to rework the Plan. Reworking the Plan could mean decreasing employees' hourly wage and/or number of hours per week.

**Remember:**

- Know your monthly allocation
- Develop a tasks checklist to determine your needs
- Decide how many attendants you are going to hire based on your needs. (think about what activities need to be performed daily) A sample Attendant Support Planning List is available in Section 6-Planning and Organizing Attendant Services
- Use your tasks checklist to decide what skills are need in your attendant
- Determine the hourly wage for each attendant
- Determine hours worked in each CDASS service category per day/week/month
- Include your emergency back-up attendant in your ASMP
- Don't overspend more than your monthly allocation

**IF YOUR CDASS CATAGORIES ARE PAID AT A DIFFERENT HOURLY AMOUNT YOU MUST CALCULATE THEIR COSTS ACCORDINGLY.**

**Sample ASMP CDASS Monthly Budgeting Worksheet**

**PART SIX-CDASS MONTHLY BUDGETING WORKSHEET:**

<b>Monthly Allocation:</b>					=	<b>\$2,200.00</b>	
<b>Total amount available for attendant support services.</b>							
<b>Attendant</b>	<b>Attendant's Hourly Rate</b>	<b>Your Cost Per Hour*</b>	<b>X</b>	<b>Hours Per Week</b>	=	<b>Total Per Week</b>	
<b>Mary Jane (Personal Care)</b>	<b>\$11.75</b>	<b>\$13.48</b>	<b>X</b>	<b>3</b>	=	<b>\$ 40.44</b>	<b>a</b>
<b>(Home Maker)</b>	<b>\$8.75</b>	<b>\$10.04</b>		<b>12</b>		<b>\$120.48</b>	<b>b</b>
<b>Kelly (Health Maintenance)</b>	<b>\$13.00</b>	<b>\$14.91</b>	<b>X</b>	<b>7</b>	=	<b>\$104.37</b>	<b>c</b>
<b>(Personal Care)</b>	<b>\$11.75</b>	<b>\$13.48</b>		<b>7</b>		<b>\$ 94.36</b>	<b>d</b>
<b>RN Care</b>	<b>\$20.00</b>	<b>\$22.94</b>	<b>X</b>	<b>5</b>	=	<b>\$ 114.70</b>	<b>e</b>
<b>Attendant Care Per Week Total Add (a) through (f)</b>						<b>\$ 474.35</b>	
<b>Multiply Attendant Care Per Week by 4.3:</b>					=	<b>X 4.3</b>	
<b>Total Monthly Cost for Attendant Care</b>					=	<b>\$2,039.70</b>	





## **6.5 ATTENDANT SUPPORT MANAGEMENT PLAN**

CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES (CDASS)

# **ATTENDANT SUPPORT MANAGEMENT PLAN**

Client Information					
Client Name:		Medicaid ID #:			
Address:		City:		Zip:	
Phone:		E-mail:			
Authorized Representative's (AR) Contact Information (optional)					
Name:		Relationship to client :			
Address:					
Phone:		City:		ZIP	
E-mail:					
Single Entry Point (SEP) Case Manager Contact Information					
SEP Case Manager Name:		SEP Agency Name:			

### **PART ONE—Disability:**

1. My disability limits my ability to do self-care and/or household activities in the following ways:


**PART TWO — Needed Attendant Support :**

**1. I (or my Authorized Representative) have the ability to train my attendants to perform all of the activities listed below:**

TASKS	SUN	MON	TUES	WED	THUR	FRI	SAT
<b>Homemaker Services (check all that apply)</b>							
Routine light housecleaning							
Meal preparation							
Dishwashing							
Bed making							
Laundry							
Shopping							
<b>Estimated hours per day :</b>							
<b>Personal Care Services or Health Maintenance Activities (check all that apply)</b>							
Bathing							
Skin care							
Hair care							
Nail care							
Mouth care							
Shaving							
Dressing							
Feeding							
Ambulation							
Exercises							
Transfers							
Positioning							
Bladder care							
Bowel care							
Medication assistance							
Respiratory care							
Accompanying							
<b>Estimated hours per day :</b>							
<b>Protective Oversight (check only if authorized by case manager)</b>							
<b>Estimated hours per day :</b>							

**PART THREE — Recruiting and Hiring**

**1. The steps I am taking to find and hire attendant(s) are (check all that apply)**

**Posting Ads:**

**News Paper:** ☐ **College/University:** ☐

**Library:** ☐ **Grocery Store:** ☐

**On-line web sites (i.e. Craig's List):** ☐ **Local Publications:** ☐

**Medical Facilities:** ☐ **Other Bulletin Boards:** ☐

**Word of Mouth:** ☐ **PPL CO Attendant List:** ☐

**Recruit Current PCP/CNA/Nurse:** ☐ **Recruit Family/Friends:** ☐

**Other (please specify):**

---

**PART FOUR- Limitations on Payment to Family**

**4. \_\_\_\_\_ (Initial) I will hire my spouse (through legal marriage or common law) as an attendant. I understand that my spouse is limited to providing extraordinary care as determined by the SEP case manager and my spouse will not be paid for providing more than 40 hours of care in a 7-day period.**

**OR**

**\_\_\_\_\_ (Initial) Not applicable: I will not hire a spouse.**

**5. \_\_\_\_\_ (Initial) I will hire a family member(s) ("family" all persons related to the client through blood, marriage, adoption, or common law) as an attendant(s). I understand that family members and guardians will not be paid for providing more than 40 hours of care in a 7-day period.**

**OR**

**\_\_\_\_\_ (Initial) I will not hire family member(s) and/or guardian(s) as attendant(s).**

**PART FIVE- Emergency Back Up Planning**

**5. The steps I plan to take in an emergency and/or during unexpected situations are :**

**Late/ No show  
Attendant:**

**Life or Limb Emergency:**

**Unexpected illness or  
flu:**

**Other (optional):**

**Community Wide  
Disaster (i.e. flood,  
blizzard, etc.):**

**PART SIX-CDASS MONTHLY BUDGETING WORKSHEET:**

<b>Monthly Allocation:</b> <b>Total amount available for attendant support services.</b>					=		(1)
<b>Attendant</b>	<b>Attendant's Hourly Rate</b>	<b>Your Cost Per Hour*</b>		<b>Hours Per Week</b>		<b>Total Per Week</b>	
			X		=		a.
			X		=		b.
			X		=		c.
			X		=		d.
			X		=		e.
			X		=		f.
<b>Attendant Care Per Week Total</b> Add (a) through (f)							(2)
<b>Multiply Attendant Care Per Week by 4.3:</b>					=	<b>X 4.3</b>	
<b>Total Monthly Cost for Attendant Care</b>					=		(3)

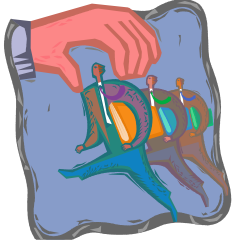
\* Refer to the "Show Me the Money" table provided by PPL Colorado

<b><u>PART SEVEN- CDASS Start Date (1<sup>st</sup> or 16<sup>th</sup> of the month)</u></b>	
Preferred CDASS Start Date	Alternate Start Date

<b><u>PART EIGHT- SIGNATURE</u></b>	
Client / Authorized Representative's Signature	Date

<b><u>PPL Colorado Comments:</u></b>	
Reviewer's Signature	Date

FOR SINGLE ENTRY POINT CASE MANAGER APPROVAL – PLEASE DO NOT WRITE IN THIS SPACE			
Client receives CDASS through (check one):		Client's certification dates:	
HCBS- EBD <input type="checkbox"/>	CDASS ONLY <input type="checkbox"/>	CDASS Start Date:	
HCBS- MI <input type="checkbox"/>		End Date:	
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Case Manager Approval</div> <div>Date Signed</div> </div>			



## *Chapter 7. CDASS EMPLOYMENT ISSUES*

This section covers recruiting, hiring, managing and initiating procedures for terminating your attendants. We also discuss basic labor laws.

### **7.1 Recruiting**

Before recruiting, you must know what you want your attendants to do. You must consider the work to be performed and the knowledge and skills a person needs to have in order to be able to work for you. A sample job description is included at the end of this section. Finding the right attendants takes time. How much time depends on your needs and how well you have planned. Use all the resources available to you. Think about whether you want to use friends or family members. Using people you know can make the process easier, but it can also be tough on your relationships. Recruiting can be divided into several tasks:

- (1) writing job ads;
- (2) posting job ads;
- (3) screening interested potential employees;
- (4) interviewing candidates;
- (5) selecting attendants.

We will look at each of these below.

### **7.2 Job Description**

A well-written job description will help you when screening and interviewing people. You want to make sure that your potential attendants are comfortable with all aspects of the job. Also, list in the job description the skills and experience you want attendants to have. State other capabilities you want in attendants, such as physical strength, cooking, etc.

A good job description can:

- Help you to identify your needs
- Be used as the basis for your ads for attendant workers
- Provide applicants with a list of daily physical needs
- Help you and applicants ask careful questions during the interview
- Provide a checklist of duties and responsibilities for your attendants

- Used as a tool a evaluation tool of attendants' work
- Help solve disagreements between you and attendants about their duties

### Refer to Sample Hiring Agreements

### Writing Job Ads

The job description you develop becomes the foundation for your job ad. To begin, you need to decide how many people you would like to respond to your ad. The rule of thumb is less information brings more responses; more information gets fewer responses. You might think that it is better to have a lot of people respond to your ads. Yet, the more responses you get, the more people you have to screen, making your hiring process more involved. Identifying perimeters that are important to you is a key component in writing your job description, i.e., non-smoker, allergies, etc.

Remember, the primary purpose of a job ad is to identify people who are both qualified and interested in doing what you need done. A well-written ad can help screen out people who are not what you want. You want to include enough information to get "quality" applicants. You must be sure your ads do not discriminate.

Below are some sample ads. Notice the effects of "details" in the ads. The first ad is the most general. In each subsequent ad, one word has been added to make it more specific than the preceding ad. Read each ad carefully to see how adding one or more key words makes them more specific.

#### PERSONAL CARE WORKER

Nonsmoker needed to work with **adult** with disabilities, assist with personal care and housekeeping. Days negotiable. \$9 an hour; some benefits available. Call (719) 555-5555 or send email to: myemail@writeme.com.

#### PERSONAL CARE WORKER

Nonsmoker needed to work with **adult female** with disabilities, assist with personal care, laundry and housekeeping. Days negotiable. \$9 an hour; some benefits available. Call (719) 555-5555 or send email to: myemail@writeme.com.

#### PERSONAL CARE WORKER

Nonsmoker needed to work with adult female with **severe** disabilities, assist with personal care, laundry and housekeeping. Days negotiable. \$9 an hour; some benefits available. Call (719) 123-4567 or send email to: myemail@writeme.com.

In the first ad, a variety of people are likely to respond. But, people who do not want to work with women are not likely to respond to the second ad. Likewise, people who do not like doing laundry may not respond to the third ad, and folks who feel uncomfortable working with people with severe disabilities are not likely to respond to the fourth ad.

Regardless of your approach, you have the final decision as to what to put in your ads. You might want to try posting several ads with different information in each and see what works



best for you. You should think about your privacy, safety and security as you create and post your job ads. For your safety never include your name or home address. Include a way to contact you by phone, voice mail or email. You can arrange with a friend or family member to take applications and handle questions for you, though this can be confusing for applicants if not handled very carefully. Whichever way you choose to be contacted, protect your privacy as much as possible.

## **Posting Job Ads**

The following are examples on how to advertise your employment needs:

**Colleges , Universities and Hospitals** can be good places for ads. Students often look for part time / full time work to gain experience and needed income. Contact the College or University Career Centers to find out how to post your ad on campus. Many medical students seek work as part of their education and training experience.

**Friends, family, neighbors, other attendants,** and area businesses can be good “word-of-mouth” resources. Let personal contacts know you are looking for an attendant, but make it clear you will do the screening and hiring. Agencies that help people find jobs, such as Colorado Workforce Centers, can be good resources. This might include job service centers and vocational rehabilitation offices. Ask them if they have a place where you can post your ads. Some of the staff may be interested in finding extra part-time work. Ask the personnel department if you can post an ad. PPL maintains an up-to-date list of attendants seeking additional clients.

**Local publications** can be a free or reduced cost resource. Local newspapers are usually less expensive than citywide newspapers, and your ad will reach people in your area. If there is a cost, you may be charged by the word or line, therefore make your ads concise with key words to describe your needs. Call a publication that you think might be helpful and ask for the classified department. Be sure to place your ad in the “Help Wanted” section. Some clients say that local newspapers are the best places to find attendants in large urban areas.

**Bulletin boards** in high traffic areas, such as super markets, are good places to hang posters or index cards. This seems to be especially true in small towns where people are more likely to seek employment this way. Other high traffic areas may include supermarkets, drug stores, coffee shops, laundromats, places of worship and community centers. Many community groups have newsletters in which you can post ads.

**Internet** recruiting is another option. [www.craigslist.com](http://www.craigslist.com) may be a quick and efficient way to find attendants. You can post your job ad on the “post classified” page at their site.

One important recruiting tip is to develop a list of possible workers. Keep a list of former attendants and people you liked but did not hire. They might make good back-up workers and might someday become your regular attendants. Talk to other participants in CDASS for

suggestions of people who might be interested in picking up some additional hours. Other clients may also know of people who might suit you, even though they didn't work out for someone else.

Remember, recruiting is an on-going activity. As long as you are directing your attendant services, you will need to recruit workers, both permanent and backup. Attendants may not be with you forever, so stay on top of your recruiting skills and practices. You may have to be ready to recruit on very short notice.

### **When People Respond**

After posting an ad, be ready to respond to people who contact you. Have the job description close at hand. Have it memorized if necessary. However you decide to handle recruiting, respond quickly to people who have contacted you about the job. Good workers do not wait around very long, as they will be hired by someone else.

### **Screening**

Screening out people who are not appropriate or who do not meet your needs is very important, as it will save time and effort for you and them. Using the telephone to speak with applicants for the first time is a good way to pre-screen them. This will help you to eliminate applicants who do not meet your criteria.

**NOTE: Some questions are illegal to ask during the interview process. Read the "Questions You Cannot Ask in an Interview" refer to page 55 so you will know which questions are illegal or discriminatory.**

### **Guidelines for telephone screening:**

- Act Quickly:
  - Call people back as soon as possible. Good people find jobs quickly.
- Be Pleasant:
  - This is common sense, and but it bears repeating: Be friendly and pleasant on the phone.
- Provide some basic information about the job:
  - Describe your basic needs for the people you screen. .
  - Let them know the needed amount of hours and days along with the hourly wage range.
  - Ask them for their previous employment information. If an applicant is interested ask them to e-mail or fax (if possible) their resume with references. If they are not interested or do not think this would be the right job for them thank them for

calling. If the applicant is interested after reviewing their additional information schedule an interview. For your safety always have someone with you at the interview.

- Ask a Few Questions of the Potential Personal Assistants:
  - Why are you interested in this kind of work?
  - What experience or training do you have?
  - Do you smoke?
  - If Lifting and transferring are essential functions of this job, is there any reason you would not be able to do those tasks?
  - Occasionally, I might need you to work more hours can you do that?
- Be Organized
  - Take notes document all phone contact with the name and phone numbers of the applicant you spoke with. You can set up a personal interview for good candidates when you talk with them, or you can call them back, after you have time to review all of your phone calls.

If, at the end of your telephone screening, you think you would like to interview this person face to face, you can make those arrangements while you still have the person on the phone. If you are not sure, you can politely end the conversation by saying "Thank you for your time. I will be making my final selections by (date) and will notify my top choices on that day to set up another interview. Thank you again, good-bye."

Once you have decided to interview someone face to face, set a day and time and mutually agreed place. Be sure you have each other's phone number in case one of you needs to change the interview.

### **Things to look out for...**

Some telephone responses are a warning of trouble. You may want to become alerted if:

You specifically state you want a female and a male calls supposedly for a female friend or wife. Do not answer any detailed personal questions. Ask them to have their friend or spouse call you them self.

Someone calling to lay their desperate situation on you, they have to get a job and / or place to live right away. Stick to your written plan of pre-screening applicants.

**If someone asks for you home address if you are sure you want to interview them do not divulge your home address.** Use caution; remain in control of the situation.

You may want to consider having a friend or relative with you for support if you feel you may be nervous or anxious during this time.

## **What if you don't want to interview someone?**

You are not obligated to interview anyone. Let each person know you are taking names and phone numbers and will call them back if you decide to interview them. You may find that you would like to interview someone later, even though your initial reaction was not to. Taking everyone's name and address will insure you can get back in touch with people if you change your mind.

Other questions you may want to consider asking:

- Are you at least 16 years of age?
- What hours are you available?
- What days can you work?
- Do you like and/or are you allergic to animals? (If you have animals)
- Are there any reasons you would not be able to travel to my neighborhood?
- Do you have a valid driver's license? (If driving is a part of the work)
- Do you have experience providing attendant services?
- Do you mind assisting in bathing, toileting, and dressing?
- There might be some heavy lifting involved in this job. Do you have any limitations or restrictions regarding lifting?

Have every person you are seriously considering complete an employment application. Some people seem great in a conversation, letter or e-mail message, but you need more specific information from and about them before setting up an interview. Your application should be designed to get information you need for making employment decisions. You need to use the PPL CO application included in the Employee Start-Up Packet, but you can also use an additional application that you design. The application gives you another chance to screen a potential worker. It also gives you a written record of the person's experience, interests, qualifications and references. What you discover in an application can give you a different perspective about the person.

## **Interviewing**

Once you have reviewed the application and finished pre-screening, if the person seems to be to your liking, set up an interview. Take time to plan your interview. Interviews should be face-to-face meetings. Remember, the interview is when you and the applicant see if the situation will work for both of you.

Do not hire anyone without interviewing them first. Before your first interview, decide where and how it will happen. If you do not want strangers coming into your home, consider a public place, such as a restaurant, library, local college or the offices of a disability organization, if the organization agrees. If you hold an interview at your home, you may consider to have a friend or family member there also. Most importantly, hold the interviews when you are well rested and when and where you are least likely to be interrupted.

### **Guidelines for Interviewing Face to Face:**

- Be Safe
  - Hold the interview in a location that is safe for you. Your local church, apartment building, or community library may have rooms available for you to conduct interviews if you do not want to use your home.
  - You can invite a friend / family member to sit in. In addition to safety concerns, having a second person is a good idea because that person may notice things during the interview that you do not.
- Setting the Tone of the Interview
  - First impressions are important. Convey a sense that you are a capable individual able to direct your own care.
  - If you have a friend present, make sure it is clear that you are the interviewer.
  - Think about the location of the interview. A living room is a better choice than the bedroom, which conveys a somewhat dependent picture.
  - Wear clothes that convey confidence. Do not wear sleepwear.
  - Sit facing the applicant so that you can observe eye contact and body language.
  - Eliminate distractions. Turn the TV and radio off. Make sure pets and children will not interrupt.
- What if You are Nervous?
  - Recognize that it is natural to feel nervous when interviewing.
  - The prospective attendant is probably nervous too.
  - Breathing deeply is the quickest way to relieve anxiety.
  - Being prepared for the interview will also lower your anxiety level.
  - Having a friend or family member with you may help calm your nerves.

- Be prepared before the Interview, Make Sure You Have:
  - A job description
  - A checklist (if you are using one) of duties for the shift(s) you are hiring
  - Information about your disability
  - Information about special equipment you use
  - A way to record your impressions (write them yourself, have a tape recorder or ask a friend to act as recorder)
  - A list of the interview questions you will ask (see list of suggested questions we have included in this guide)
- Planning the Interview Questions
  - Decide ahead of time what questions you will ask, and write them down.
  - Frame your interview questions to give you the information you need. (At the very least you want someone who is trustworthy, reliable and responsible. Ask questions that will give you that information).
  - By using the same list of questions for each applicant, you will be able to compare their responses more easily.
  - Do not ask illegal questions. (See the “Questions You Cannot Ask in an Interview” page.)

**When the applicant arrives:**

Check them out. Do they look neat, clean and presentable? Do they seem comfortable around you? Do you feel comfortable around them? Find out as much as you can about them. You will be hiring someone to care for your needs. Some of this may be very intimate and personal. You will be making a decision to hire someone based on just a few contacts. Make the interview matter. Your health and safety is dependant upon the choice you make.

- Make the applicant feel comfortable. You can ask, "Did you have any trouble finding the house?" A discussion about the weather is always safe and helps people relax.
- Have the applicant fill out the application. Then give them the job description to look over. This will give you time to review the application. Pay attention to:
  - Past experience

- How does it look? Is it neat?
- How specific is it?
- Are all the bases covered? (Does it include work experience and education?)
- What are the employment patterns? (Are there frequent job changes?)

**Red flags on the application:**

- Gaps in employment (any time period of over one month -- ask for more details)
  - Omissions (educational, former employers -- ask for details)
  - Inconsistency (dates do not make sense -- ask for details). If you have questions about any of the information on the application, the interview is the place to ask them.
- Explain your disability, as far as you feel comfortable.  
Give information that would be important for someone to understand if s/he were helping you.  
Review the duties on the job description and checklist.
  - Ask the Interview Questions.  
Have a method for recording responses.  
After you have completed your questions, ask applicants whether they have any questions. A lot can be learned about their grasp of your needs by their questions.

Start with questions that are more general like, "What did you like about your last job? Then, move to more sensitive questions later in the interview like, "What do you think will be your biggest challenge working with a person with a disability?"

**During the interview:**

- Describe the job requirements in detail
- Ask work-related questions that need more than a “Yes” or “No” answer.
- Tell the person what you expect in an attendant
- Tell the person about the work schedule
- Give the person a copy of the job description
- Explain your disability as well as you can
- Be frank and clear about duties that might make a person uncomfortable
- Notice not only what the person says, but also how he says it
- Let the person ask lots of questions, and give honest answers
- Give the person general information about wages, benefits and the workings of CDASS and PPL CO

**Following are some other useful interview questions you can use:**

- What did you like most about your last job?
- What did you like least about your last job?
- Why did you leave your last job?
- Why are you interested in this job, and what makes you a good candidate?
- Tell me about a past job where you had to make a tough decision. What were the circumstances? How did it turn out?
- Tell me about a past job where you made a big mistake. What were the circumstances? What did you do about it? How did it finally turn out?

As you near the end of the interview, ask the person if she is interested in the job. If the person seems like someone you would likely hire, ask her for references. Do not make your decision immediately, but tell the person you will call her after you have checked references. Generally, you will want to interview more than one person before making your decision. This is an important decision, and you want to have as many choices as people and their answers to your questions. This will help you to avoid getting confused about details. Use your notes to help you compare the good and bad points of the people you have interviewed. Give yourself time to think about who is most likely to meet your needs.



## **Checking References**

During the interview, get work references. After the interview, decide if you would like to hire the person. If so, check his / her references. References can give you important information that you could not get any other way, such as whether the person is difficult to work with, his work ethic and his character.

Who are good references? They are usually people who know your applicant as an attendant. They know the person's work performance and habits. If your applicant has no prior attendant experience, then other good references are previous employers, teachers and former co-workers. Try to avoid family members or friends as references. They will not know about the applicant's work habits and they are likely to tell you only the good things. When talking to a reference, explain the work the person will be doing. Tell the reference you will keep all information confidential so he will feel comfortable enough to give you honest and accurate information. Take notes so you do not get confused about who said what about which person. Remember to trust your own initial instincts as well. Refer back to the notes you made to yourself during the interviews so you will not forget the impression each person made on you.

### **Here are some questions you should ask references:**

- How long have you known her?
- What are his strengths and limitations?
- How does she handle stress?
- Do you think he is honest?
- Would you trust them to have keys to your house and car?
- Would you trust her to have access to your bank account?
- Do you think she is reliable?
- How well does he get along with others?
- Do you think she would be good at this type of work?

If the reference is a former employer, ask the following questions.

- How long did he work for you?
- Was she dependable?
- Was he on time for work?
- Was she able to work independently?
- How often was he absent without notice?

- How did she deal with handling money on the job?
- What was it like to supervise him / her?
- Can she handle doing a wide range of tasks?
- Why did he leave the job?
- Would you rehire her? If not, why not?

You may not get many answers from references. Some people do not want to say anything bad about another person. If a reference does not give you much information, be thankful for what you do get, and move on. You cannot know why a reference gives you little information or if the lack of information means something bad. Remember, reference checks are just a way to get information you can use to decide about hiring someone.

### **7.3 Hiring Guidelines**

Now you get to choose the person you want from the people you interviewed. In making your choice, think about these questions:

- What important skills and experience does each person have?
- What is your feeling about each person, based on the interview and reference checks?
- What useful information did you get from each person's references?
- What useful information did you get from PPL CO's background checks on each person?  
See the section below on background checks.
- How would it feel working with each of the people you interviewed?

Some qualities are hard to assess in people. Think about how comfortable you would feel giving directions or corrections to each candidate. This is very important if you are going to hire a friend or relative. How will you feel spending a lot of time with the person? You might develop a close friendship with a worker, but it is not necessary. The lifestyle of an attendant may bother you, but will it have anything to do with the quality of her work? Remember that safety, reliability and quality work are the most important features for an attendant to have.

**CDASS has only a few requirements of attendants.**

- Must be 16 years old and legally able to work in the U.S. PPL CO
- Must perform a criminal background check and a board of nursing background check on all workers, and the person must pass both checks to be employable.
- You must follow all state and federal laws and regulations regarding hiring attendants.

## **Criminal Background and Board of Nursing Check**

Before offering the person the job, you will need to let them know a background check will be performed. The prospective employee will need to fill out the Criminal Background and Board of Nursing form in order for PPL Co to run the background check. The check tells us the person's criminal history in Colorado. *If the attendant has worked in other states you would need to run this additional background check at your expense.*

The board of nursing check tells us if the person has their license or certification suspended or revoked as a health professional by the Colorado Board of Nursing. If the check reveals that their license or certification has been suspended or revoked, denied, or if they represent themselves as a licensed medical professional when employed as an attendant, by state law, we will not be able to hire the person as an attendant under CDASS.

Since PPL CO is the employer of record, we reserve the right not to hire a person if he or she has been convicted on certain charges. PPL CO will provide you with a list of "Criminal Offences Prohibiting Employment" that lists the charges that will cause us to refuse to hire a person. If the prospective attendant has such convictions on his or her record, we will notify you that we cannot hire the person.

You can appeal our decision not to hire a prospective attendant based on the criminal background check. To do so, you and/or your prospective employee must provide a copy of the disposition, which is the final document from the court, on the charge to prove the charge was either dropped or reduced to a lesser charge.

If the attendant you would like to hire has a criminal history, but it is not a Barrier Crime (see informational form Requirements for Criminal Background Check) you will need to complete the CDASS Client Acceptance of Responsibility for Employment form and return it back to PPL Co.

## **The Job Offer**

### **When you decide to hire an attendant, you can:**

- Hire her on a trial basis (for example, for three months)
- Hire him / her as a back-up worker
- Hire her as a permanent worker

### **When you decide to make a job offer to an attendant, be sure you address the following:**

- Essential elements in the job description

- Terms of employment
- Your guidelines for attendants
- The role of PPL CO
- Pay and benefits
- Starting date and time and work schedule
- Phone numbers for the attendant and you in case of a change in plans or an emergency

### **Hiring Your Attendant**

When you hire a new attendant, be sure to get the following information from the attendant:

- Full legal name
- Address
- Important phone numbers
- Social Security Number
- Date of Birth (attendants must be at least 16 years old)
- Any plans that could get in the way of the attendant's work
- Emergency contact: name, phone number and Address

### **Contacting PPL CO**

Before your new attendant can start work, they must complete the information in the Employee packet PPL CO will send you for each employee is also available on line. You can fax or e-mail the application to PPL CO. PPL CO will notify you when the application is approved with an employee ID and start date.

**PPL CO will not pay an attendant for hours worked before they are on the payroll. If you do start an employee prior to approval from PPL CO you are responsible by law for paying the attendant for the hours worked.**

### **The Employment Agreement**

In CDASS, you must have a completed Employment Agreement on file with PPL CO between you and your attendant. The Employment Agreement form is available from PPL CO. Services your attendant will provide must be in the categories of Personal Care, Homemaker and/or Health Maintenance Activities. You and your attendant should discuss the various conditions before completing the Hiring Agreement.

Later on, you can use the agreement to help you evaluate the attendant's work. It can also help to resolve differences between you and the attendant about the working conditions.

## **7.4 Procedures for Terminating an Attendant**

Most people do not like having to fire someone. However, that perfect person you thought you hired may not work out. People change and situations change. If you find at some point your attendant is not meeting your needs, you may have to fire that person. Keeping a hiring agreement up to date and keeping a regular schedule to evaluate your attendant's job performance can help you decide if you should fire an attendant.

### **Grounds for Termination**

The reasons to fire someone will vary. Here are some of the most common reasons:

- The attendant's work is not within acceptable limits
- The attendant has difficulty learning new tasks / care responsibilities
- The attendant is no-show or frequently late
- The attendant's personal habits are bothersome
- The attendant does not attend to verbal instructions
- The attendant is often argumentative
- You do not feel safe or comfortable with the attendant, even after working with him / her for several weeks
- The attendant is unable to utilize a flexible schedule
- The attendant violates the hiring agreement / contract

### **Grounds for Immediate Termination**

Some actions by an attendant are grounds for having them terminated immediately. You should state them clearly in your guidelines for attendants. These grounds include:

- Arriving to work under the influence of drugs or alcohol
- Use of alcohol
- Illegal drug use
- Theft
- Physical, sexual, psychological abuse in any way

## Terminating Workers

Weigh all options before you have an attendant terminated. It might be better to try to work things out with an attendant first. Trying to hire a new one will take time and effort and there is no guarantee your new attendant will be a better worker. How you decide to handle this difficult task will depend upon your personality, your attendant's personality, and the situation. But if termination is the appropriate decision, consider the following:

- ♦ **How should you tell the attendant (s)he is being terminated?**

Terminating an attendant can be difficult, and how you choose to tell your attendant depends on the situation. If you feel comfortable with the situation, you may tell the attendant in person. However, there are other options if you do not feel safe with a face-to-face approach. You may have a third person tell the attendant (s)he is terminated, or let the attendant know by telephone. Remember, it is important to be respectful when processing an attendant termination, but your safety comes first.

- ♦ **What reasons should you give the attendant for termination?**

If you have been giving plenty of corrective feedback and doing regular evaluations, the attendant should know what the problems are. The attendant should also know the reason for termination. In some cases, something can happen or some very serious problem can come up that you have not addressed in your guidelines or evaluations. **Keep in mind, that Colorado is an employment-at-will state and an explanation is not required by law.**

- ♦ **How will the attendant react?**

It is best to have a neighbor, friend, relative or other person in the room with you and your attendant when you terminate him / her, to provide you more safety.

- ♦ **How much notice should you give your attendant?**

Be fair, but remember if you give the attendant advance notice, you can risk problems with his or her work and behavior for the remainder of his employment. Sometimes immediate termination is the best approach to ensure your safety.

- ♦ **Who will provide your support once you fire the attendant?**

Before you fire your attendant, have at least one backup attendant ready to step in right away.

- ♦ **Are you safe and secure?**

If the attendant you fired had access to the keys to your residence or car, have your locks changed.

Once you terminate an attendant, contact PPL CO immediately. PPL CO needs to make changes to the attendant's work file and to your records. A Separation of Employment form will need to be completed and sent to PPL CO.

**By law, PPL CO will issue and postmark the attendant's final paycheck within 24 hours of receipt of notice.**

## **SAMPLE JOB DESCRIPTION – PERSONAL ASSISTANT**

### **DUTIES:**

The person in this position will assist with activities of daily living. The employer is a 25 year-old man who has a physical disability, lives in his own apartment and uses a wheelchair. Specific activities include assistance with bathing, dressing, personal hygiene, toileting (includes bowel and bladder care), eating, transferring to and from the wheelchair, taking medications and range of motion exercises. The position also involves meal preparation, housekeeping, shopping, laundry and other household chores. The position requires a valid Colorado driver's license, as the attendant will drive the employer's adapted van occasionally.

### **EDUCATION AND EXPERIENCE:**

Nothing specific is required, though some experience providing attendant services in the home of a person with a disability is helpful.

### **SALARY RANGE:**

\$9.50 to \$11.50 an hour depending upon experience

### **BENEFITS:**

Workers Compensation is available to all attendants

### **HOURS:**

2 hours a day in the early morning, typically 6:00 to 8:00, and some weekend hours

### **OTHER REQUIREMENTS:**

The person selected should be prompt, reliable, and able to work independently and have good personal hygiene. The person selected must submit to a criminal background check.

# Avoiding Discrimination

## Nondiscrimination

You can have strong feelings about the characteristics (age, gender, or race) you seek in an attendant. However, federal labor law prohibits you from discriminating. Be sure your job descriptions and other hiring materials reflect this nondiscrimination policy.

## It Can Be Discriminatory to Ask...

- ☐ About arrests.
- ☐ For U. S. citizenship.
- ☐ About children, number of, names, ages, child care arrangements or marital status.
- ☐ General questions about disabilities or physical conditions which do not relate to applicant's fitness to perform job.
- ☐ "ARE YOU SINGLE, MARRIED, DIVORCED, SEPARATED, WIDOWED?"
- ☐ Questions concerning pregnancy, birth control, children, or future child-bearing plans.
- ☐ Direct or indirect questions which would indicate an applicant's ancestry, national origin, race or color.
- ☐ Any questions that, if answered, would reveal religious affiliation, denomination, customs, holidays observed, or name of minister.
- ☐ Questions about age, except to ask if the person is of legal age to work (16).





## *Chapter 8. RECOGNIZING AND GETTING QUALITY ATTENDANT SUPPORT*

### **Ensure Quality Services**

One of your responsibilities as CDASS client is to make sure you receive quality services. To do this, you or your authorized representative must:

- Use the Attendant Support Management Plan that you developed. You will review the ASMP at least twice a year with your SEP case manager and make appropriate changes as needed. If your needs change and your SEP case manager approves an increase in your allocation, you will be required to revise your task list and complete a new budget worksheet to submitted to your SEP case manager for approval before the increase takes effect.
- Report the quality of the care you receive to your SEP case manager, letting the case manager know if you are satisfied with the services that you are receiving or if there has been a change in your care needs. The SEP case manager will contact you twice a month for your first three months and on a quarterly basis. In addition, the SEP case manager will conduct a face-to-face visit with you every six months. If there are changes in your condition or if you need additional care in between these scheduled contacts, please notify your SEP case manager.

### **8.1 Training Attendants**

It is important that you train your attendants properly. Proper training allows attendants to provide you with quality support. There are many ways to train. Here are some suggestions: Prepare. Before you start training, have all the equipment and supplies you need for the training. If possible, schedule training when you will not be disturbed.

**Explain your disability.** Tell your attendant everything about your disability and how it affects your daily life. Do not leave anything out. Does your disability have symptoms that could be alarming to a new attendant or to the public (spasms, etc.)? If so, prepare your attendant to deal with this as well. Use specific examples. The more your attendant knows about your disability, the better support she can give you.

**Review your guidelines with your attendants.** You and your attendant discussed your guidelines in the interview. Review these with your attendant and make sure (s)he understands their importance. Explain anything that is unclear and let them ask questions. If your guidelines cause problems, deal with it right away. If you cannot resolve the problem, you will not want them to continue working for you.

**Have a training plan.** Begin each training lesson with an overview of what you will cover. At the end of the lesson, sum up what you have taught. If you need more than one lesson to cover a topic, review what you have taught in earlier lessons first. Answer any questions, and then move on to the new material.

**Demonstrate new tasks.** A good way for your attendant to learn a new task is to have him / her watch someone else perform the task first. Have a friend, family member or another skilled attendant show him / her how. Make sure he sees the task performed several times. Then, let the attendant practice it and tell him / her how he is doing. Use constructive feedback and additional coaching if necessary.

**Cover the steps in the task.** If you are using a checklist, make your attendant review the checklist as you work through each step. Or, have your attendant write down each of the steps as you explain them. Review what your attendant writes to ensure he understands all the steps correctly.

**Stress safety.** Stressing safety is critical. If you have life support equipment, make sure the attendant knows how and when to use it. Train the attendant to understand and use universal precautions whenever needed. Make sure the attendant knows what to do in case of an emergency.

**Be patient.** Your attendant might not understand all your directions the first or even the second time. Making mistakes is part of learning. Ask for feedback and give her plenty of chances to ask questions. BE PATIENT!

**Be sensitive to your attendant.** Some people can learn a whole task at once. Others need a slower pace. Pay attention to your attendant's reactions as you train. Give thought to how much new knowledge your attendant is able to learn at one time. Respect your attendant. Respect your attendant, his ability to learn, and how much he already knows. Also, tell your attendant clearly that you have to be sure he understands exactly what you want and how you want it done.

**Give your attendant feedback.** Giving your attendant feedback during training as well as on the job is very important. Talk about what is working and, more importantly, what is not working. Like most people, your attendant needs both positive and corrective feedback.

**Correct mistakes.** When your attendant performs a task differently than the way you demonstrated, point it out. Patiently remind your attendant how you want it done. Remember that you are trying to correct the mistake, not the person.

**Praise good work.** When your attendant performs tasks the way you want them done, point this out. Praise your attendant for good work, and do not forget to say, "Thank you." This is a powerful motivator for workers.

**Evaluate your attendant's work and behavior.** When hired, tell your attendant you will evaluate his work and behavior regularly. Set a timeline for evaluations and share copies of your evaluations.

## 8.2 Scheduling Attendants

In CDASS, you create schedules for your attendants. If you only have one attendant, this is simple. But, if you have more than one, scheduling is more difficult. Plan enough time for scheduling and dividing tasks among your attendants. You must balance your needs with your attendants' needs in order to have reliable, timely support. Here are some things to consider:

- How important is the schedule? For most people, the attendant schedule is very important. You should talk to your attendant about the schedule and be very clear about your expectations. Also, tell your attendant what they can expect when they do not follow the schedule. Post your schedule in a place where all will see it.
- Who decides on the schedule? Ultimately, you do. Remember, that the schedule affects both you and your attendants. You will have a better relationship with your attendants if they feel you have thought about their needs when making the schedule. Talk to your attendants about the schedule and get their input. Include as much of their input as you can in the final schedule. If you cannot meet everyone's scheduling needs, explain how and why you did the schedule the way you did.
- How do you set up a schedule? To begin, you should review your attendant support tasks checklist. Review the attendants' experience and preferences for days and times. You could divide the tasks among your attendants equally or, you could assign attendants based on their skills and abilities. However, you set up the schedule, remember you will have to do it again as things change.
- How does the schedule get changed? Stress to your attendants that everyone, including you, must respect the schedule. There could be times when you or an attendant needs to change the schedule. Decide how this will happen and be sure all attendants understand the process. Decide, for example, how much notice you will need before changing the schedule for an attendant. Also, tell your attendants how much notice you will give them when you make a change. Explain when you might not be able to give

that much notice. Decide if you must approve all schedule changes or if the attendants can decide among themselves. If you must approve all schedule changes, make that clear in your guidelines.

Be aware of issues around starting and ending times. Decide how you will handle attendants that are late and let them know the consequences. Likewise, be very careful about asking attendants to stay late without warning. Respect the attendants' time in the same way you want them to respect yours. If you often ask attendants to stay late, you will cause problems in your relationships, and you could lose workers. On the other hand, if you respect their time, you have the right to expect attendants to respect yours.

### 8.3 Supervising Attendants

In CDASS, you supervise your attendants. Supervising your Attendant is not like any other kind of working relationship. Most other employer/employee relationships do not involve such personal contact. In order to be a good supervisor and be sure your needs are being met you will have to be assertive. If you are a shy person, this may not be easy for you, but it is very important. You might want to try practicing with friends or family members if you think it will help you learn and gain more confidence in being assertive. How you communicate with your Attendant will be a big part of the success you have with them. You may become friends with your Attendant but it will be important for both of you to remember your roles in the working relationship. You are the supervisor.

This means you direct, oversee and manage their activities in order to receive the quality care you need. In supervising, consider: 1) quality 2) quantity 3) time and 4) rules.

- 1) Quality is how well tasks are being done. Do attendants perform tasks the way they were taught or some other way?
- 2) Quantity is the amount of work. Are attendants doing every task as required or are they skipping some?
- 3) Time is about the schedule. Do attendants perform tasks when they are scheduled?
- 4) Rules are your guidelines. Are your attendants following them? For example, you can allow attendants to eat your food if they replace what they eat. Although eating your food will not have a direct impact on your care, it is your rule and it is to be followed.

**Be ready to train.** Since things change, good supervision requires on-going training. If your needs change, teaching new tasks will be necessary. And, your attendant could have questions that were not covered. When this happens, set up training as discussed in Section 9.1. Even though something is clear to you, this does not mean it is clear to your attendant.

**Monitor your attendant's work.** By monitoring your attendants' work, you can tell if they are performing their tasks the way you taught them. If not, you probably need to provide more training. If training does not help, you can take a different approach with them. The main point is, pay attention to what your attendants are doing.

**Be clear about what you want.** By agreeing to take the job, your attendant agreed to perform tasks the way you need them to be done. Be clear about what you want and how you want it. If you are not clear, the attendant has to guess and that is not a good thing for either of you.

**Work together.** Work with your attendant as a partner to solve problems. Listen to your attendant's suggestions. Your attendant might have some good ideas or some useful experience to draw on. Remember that "two heads are better than one." Learn to say "No". If you do not agree with your attendant's suggestions or ideas, say so. But be respectful. It will help you develop a stronger relationship with her.

**Be in charge.** Although your attendant has suggestions, you are the supervisor. Your attendant may have worked in places where clients had little control. In CDASS you have control, and the right to live your life as you choose. You do not need your attendant's approval for what you do. Respect your attendant, but be mindful that he is there to assist you, not to decide things for you.

Keep in mind, supervising does not mean dictating. Being assertive does not mean being aggressive or pushy. Being assertive means speaking up for yourself, explaining your needs and directing your Attendant in a thorough yet patient way. Respect and good communication between you and your Attendant is important and can lead to a strong and lasting working relationship.

**Deal with problems.** When an attendant performs poorly, let them know right away. With patience, remind her how to do things the way you taught them. Deal with the problem when it happens not a long time after it happens. Problems that are not handled quickly will most likely get worse. Be respectful when correcting. Remember, fix the problem, not the person.

If an attendant keeps making the same mistakes, consider giving them more training. If more training does not help, the problem is performance, not skills. In this case, discuss the situation with the attendant. Try to discover if the attendant understands his performance is not acceptable. After the discussion, if the attendant does not improve, try giving them a warning. If his performance still does not improve, you will need to take disciplinary action, which may include placing the attendant on probation or terminating the attendant. Make sure the attendant is aware of the consequences of their behavior.

**Praise your attendant.** Tell your attendant when they do something right and especially when they do something more than what you expected from them. Let them know that you value their support and value what they give you. Most people appreciate being recognized for good work.

**Treat your attendant respectfully.** Treat your attendant the way you want to be treated. Avoid calling your attendant names or insulting them. Respect them and the work they do for you. Good attendants are not easy to find. Treating them poorly will lead them to look elsewhere for

employment. Also, abuse of your attendants could be grounds for your removal from the CDASS program.

According to CDASS rules, one reason a client and / or Authorized Representative can be terminated from the program is if the client and/or Authorized Representative exhibits inappropriate behavior toward attendants and HCPF has determined that PPL CO has made adequate attempts in assisting the client and/or Authorized Representative to resolve the inappropriate behavior and resolution has failed.

## **8.4 Evaluating Attendants**

Although you supervise your attendants daily, you should still schedule regular evaluations. You can set aside some time every so often (i.e. every six months) to review their performance, hear their feedback and suggestions and confirm the schedule. This allows both you and your attendants to maintain clear lines of communication.

New attendants should be evaluated weekly during training or probation until you are confident of the work. Performance evaluations for more experienced attendants can be scheduled farther apart, for example every six months. The more confidence you have in an attendant's performance, the less you will need to do formal evaluations.

For formal evaluations, use a prepared evaluation form. Be sure your form has the same or similar items as the attendant's job description. Include items on the evaluation that are important to your care and comfort.

Using a formal evaluation also allows you to reinforce the attendant's hiring agreement and your expectations. Keep copies of all evaluations, and give copies to the attendants. If the evaluation includes unsatisfactory performance, put in place a corrective action plan. If you are having problems with an attendant, it can be helpful to review past evaluations as you consider whether to keep them.

## **8.5 Identifying Abuse and Safety Issues**

While participating in CDASS, you should have good attendant support, and you should make sure your attendants treat you well. No one likes to admit it, but sometimes attendants abuse the people they are hired to support. This is against the law.

**For your safety, know what the definitions of abuse are:**

**Physical Abuse** is a physical force or violence that results in bodily injury, pain, or impairment; this includes hitting, slapping, pinching, kicking and other forms of rough treatment. If an attendant does something intending to cause you pain, it is physical abuse.

**Verbal Abuse** means any use of spoken or written words or gestures that are meant to insult or attack you or to make you feel bad.

**Psychological Abuse** is the intentional cause of mental or emotional suffering caused by threat, humiliation or other verbal or non-verbal behavior.

**Sexual Abuse** is any form of non-consensual physical contact, which includes sexual annoyance, touching, fondling or attack. Any inappropriate sexual behavior by an attendant that makes you uncomfortable is sexual abuse.

**Neglect** is the failure of attendant to complete their responsibilities to provide needed care, which means an attendant is lacking to provide you food, water, heat, poor hygiene, and unclothed or improperly clothed for weather, or health maintenance. After you have given the attendant directions about these necessities, the attendant should make sure your needs are met.

**Remember, in CDASS, you are responsible for addressing attendant problems. No home health agency or other provider is responsible for taking care of these things for you. You have to decide what to do about the abusive attendant.**

If you feel you are being mistreated, you should talk to the attendant. Tell your attendant what actions or behaviors you do not like. Tell the attendant that if the behaviors do not stop immediately, you will terminate their employment. This can work for attendants who are not aware of how you are feeling. Be ready to take action right away if the behaviors do not stop.

In most cases of abuse, you should fire the attendant immediately. Do not tolerate abuse. Protect yourself. You should have included the consequences of abuse in your attendant guidelines. From your training, the attendant should already be aware of those guidelines. You have every right to terminate the attendant immediately. Just be sure you are safe and that you have other supports in place.

## **8.6 Preventing Theft**

You are responsible for handling attendants who try to steal from you. Below we share some ideas to help prevent theft and what to do if an attendant does steal from you, keep in mind that theft is a crime.

**Check references.** Always check a person's references. Ask the reference about the person's honesty. If a reference causes you to believe the person is not honest, think carefully about hiring her. You could be taking a risk.

**Pay attention to background checks.** In CDASS, PPL CO must complete a criminal background check on EVERY person you want to hire. Review the details of the background check report on each person. A person with a history of theft or other "small" crimes can be

more likely to steal from you. If anything causes you to think he is not honest, think twice before hiring him / her.

**Keep track of your money and valuables.** Do not keep a large sum of cash in your home. Keep small valuables locked away, such as jewelry and cash. Keep track of how much money you have on hand. Know where your purse or wallet is at all times. If you need your attendant to handle cash for you, make sure she does so under your direction only in a way that you can watch. If you have several attendants, consider giving only one of them access to your valuables.

**Be careful with checks and credit cards.** Do not give an attendant your credit card, credit card number or a blank signed check to use when you are not with them. Doing so gives the attendant a chance to steal from you. If your attendant must shop for you, always get a receipt showing what was spent. In these cases, keep careful watch on your bank accounts.

**Keep track of your medications.** Some medications are more valuable than cash. Many home health care clients say stealing medications is a bigger problem than stealing money. Store your medications in a locked drawer or cabinet. Keep track of when you need to reorder your medications. Know how much medication you have on hand and how much you order. If you have more than one attendant, consider giving only one of them access to your medications.

**Keep track of your possessions.** Keep an up-to-date list of all your valuables such as TV's, stereos, computers, antiques and jewelry. Should something turn up missing, this list will be helpful to police and to your insurance company. Let your attendant know you have a property list. Knowing that you have a property list can discourage the attendant from stealing.

**Be careful about use of your car.** You should not allow your attendant to use your vehicle without you. Make sure you have known the attendant for a long time before allowing use of your vehicle. Keep track of the miles that your attendant puts on the car to ensure it is not misused.

**Be careful with your keys.** In many cases, you will give your attendant a key to your home. At the same time, you do not want your attendant entering your home without your permission.

- One idea for keeping your home safe is having two door locks, which take different keys. Give your attendant a key to one lock. You keep the key to the other one. This way you can lock the door so even your attendant cannot enter.
- Consider a combination lock system. Give the combination to your attendant. You can easily change the code if he stops working for you. A combination lock can be very useful when you have to fire an attendant.



- Be very careful about keys when an attendant stops working for you or when you have to fire an attendant. Get your locks changed even if the attendant returns your keys. You can never be sure whether the attendant made copies.

**Talk about honesty in your hiring agreement.** Keep your attendant's hiring agreement up to date. In that agreement, detail what happens if the attendant is not honest. Be clear that you expect honesty, and will not allow a dishonest attendant to work for you.

The above tips will help prevent theft. Sometimes, no matter what you do, an attendant will steal from you. If that happens, remember you are responsible for addressing and resolving the issue.

If you find small things missing here and there, tell the attendant. Do not accuse her of stealing without proof. Say something like "I seem to be missing things, have you seen them? I'm going to have to pay more attention to where we put things." Letting the attendant know you are paying attention can prevent more theft. If the stealing is more serious, call the police. Taking action can help keep that attendant from stealing from others.

### **Follow Relevant Laws**

While in CDASS, one of your roles is to act as the "supervising employer" for your attendants.

This means you must abide by applicable federal, state and local laws governing employment, including but not limited to:

- Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, et seq.
- Age Discrimination in Employment Act, 29 U.S.C. §§ 621, et seq.
- The Americans with Disabilities Act, 42, U.S.C. §§ 12101, et seq.
- The Family and Medical Leave Act, 29 U.S.C. §§ 2601, et seq.
- The Fair Labor Standards Act, 29 U.S.C. §§ 201, et seq.

Other federal, state, and local statutes and regulations apply. For more information regarding these laws, visit these websites:

<http://www.colorado.gov/> and <http://www.usa.gov/>

## Section 8 Quiz:

### RECOGNIZING AND GETTING QUALITY ATTENDANT SUPPORT

1. List 5 ways you can train the attendant to do tasks the way you want them done.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Answer questions using Multiple-Choice.

2. Which of the following is not true when handling attendant abuse in CDASS?

- A. You can terminate attendant immediately
- B. You can talk to attendant if abuse is minimal
- C. Quality attendants are hard to recruit, hire, and train
- D. A home health agency can deal with abusive attendant when appropriate

3. Which of the following is true in training and scheduling attendants?

- A. You are the only person who can train an attendant
- B. You can include as much of an attendant's input as possible in the final scheduling
- C. You shouldn't demonstrate a task more than twice
- D. It's not a good idea to change the schedule

4. Which of the following action is not recommended in preventing theft?

- A. Let an attendant know you are aware of missing items
- B. If stealing is serious, call the police
- C. Keep a current list of all your valuables
- D. Have an attendant enter your home without your permission

RECOGNIZING AND GETTING QUALITY  
ATTENDANT SUPPORT

(Answer Key)

1. List 5 ways you can train the attendant to do tasks the way you want them done. Any of the following are correct answers:

1. Explain your disability
2. Review guidelines for attendants
3. Have and follow a training plan
4. Explain the tasks
5. Demonstrate new tasks
6. Stress Safety
7. Give feedback
8. Correct mistakes
9. Praise good work
10. Evaluate your attendants' work and behavior

2. Which of the following is not true when handling attendant abuse in CDASS?

C

3. Which of the following is true in training and scheduling attendants?

B

4. Which of the following action is not recommended in preventing theft?

D



## *Chapter 9. COMMUNICATION SKILLS*

### **9.1 Communication Tips**

Since you will be dealing with some very personal issues as part of CDASS, you will need good communication skills. You will have to train new workers, praise them and correct them from time to time. You also need to work closely with case managers, PPL CO, and CDASS staff. Clearly, all these situations require good communication skills. This manual gives you some basics, but it takes time to build your skills. Below are some communication tips.

**Listen.** Good communication means parties understand each other. If you are the only one talking, you will not know if you are being understood. Even when you have something very important to say, you still need to hear if the other person understands your point. Also, you often learn more when you are listening than when you are talking.

**Try to understand.** One of the best ways to get a person to listen to you is to listen to her first. If you understand the other person's point, you have a better chance of responding in a clear and helpful way.

**Be firm.** State your concerns, feelings and wishes clearly and directly. Be respectful and make eye contact. Address problems when things are uncomfortable. Do not attack the other person or call names. Be clear about what your concerns are and why. Seek solutions to the issues together, in a team approach where everyone is a winner.

**Use "I" statements, not "you" statements.** State your issues from your point of view. You cannot really know what the other person is thinking or why he acts a certain way. A statement such as, "I need an attendant I can rely on, and who comes to work on time," is a much better communication than, "If you cared about me, you would be here when you should be." An "I" statement focuses on your feelings and experiences. It is hard to argue with a person's statement of his feelings. Conversely, a "you" statement is more likely to make your attendant feel defensive. It is more likely to start a useless argument.

## **Negotiating**

When you hire a new employee, you both have to come to an agreement. The “back-and-forth” discussion you carry on to do this is called negotiating. Here are some ideas to help you negotiate more effectively.

- ♦ Identify the issue you are negotiating and focus only on that issue. Do not get off track with other issues. Identify the needs you want met as a result of the negotiation. You need to be clear on what you want in order to get it.
- ♦ Be clear about what is most important to you. If you have to give up something, be sure it is the little stuff, not the big stuff.
- ♦ Learn what the other person’s needs are. You are more likely to have your needs met if you understand and try to meet your attendant needs as well.
- ♦ Work for “win/win” agreements. You need to work together, not against each other. Try working together to meet the needs of both parties.
- ♦ Keep people and issues separate. Respect people but negotiate for what you need.

## **Giving Feedback**

Your attendants need to hear from you about how they are doing, both good and bad. When giving feedback, make every effort to use “I” statements: “I need; I feel; I have to have,” etc. By using “I” statements, feedback is kept objective and avoids personal blame. You can also say something like: “I am disappointed with...”; “I was expecting...”; “Did I cover...in training?”; “Did I do something to confuse...?” etc.

## **Documenting**

As a supervisor, you will need to document and keep records. This is an important responsibility for you in CDASS. We suggest you develop a system for keeping track of all letters, forms and agreements with CDASS and PPL CO. Keeping good records will help you remember important events and conversations, and it can help you when addressing an attendant problem. Make sure you keep written copies of all agreements you make with attendants. This includes applications, employment guidelines, hiring agreements, schedules, instructions, time sheets, evaluations, etc. Keep a separate file on each attendant with all the documents that pertain to that attendant. Include notes you have made to yourself about that attendant. These files will be helpful if you need to terminate an attendant.

## 9.2 Conflict Resolution

Conflicts are often a natural part of establishing and building a relationship. Be prepared to deal with problems as they come up. Remember to manage your emotions so things do not get worse than they should be. Employees will hopefully respond in a non-threatening and positive way if their employer maintains objectivity and control.

If you have a conflict over duties, pay, time off, social conduct or use of property, remind your attendant of your agreement. If they refuse to comply with the rules, be prepared to have them replaced.

Problem solving is a process. The same steps can be used for problems involving a broken wheelchair as for interpersonal conflicts. The guide below is a formal process that involves thinking about solutions and writing down ideas. You may not need to use the whole guide to solve a problem, but it is helpful to be aware of the entire process.

### Identify the Problem

This seems simple enough, but sometimes not everyone will agree that there is a problem. It may be a problem for your attendant if your family member orders them around, but it may not be a problem for you.

### Define the Problem

Define the problem without involving personalities, motives, blame and value judgments. Ask open-ended questions and use active listening to get a better understanding and definition of the problem. Who owns the problem? What this means is, whose responsibility is it to solve this problem? Examples include:

- A broken wheelchair is your problem, but your attendant and family could help you solve the problem.
- An attendant who bothers you by talking too much is your problem, unless that behavior will lead to the PA losing their job. Then the problem belongs to both of you.
- Your attendant has lost her childcare and cannot make other arrangements for a week. The problem belongs to both of you.
- Each person involved should have input, but whoever has “ownership” of the problem should make the final decision.

**Generate Solutions**

Everyone involved should suggest solutions. Do not focus on personalities and do not criticize any suggestions. (Do not say things like: "You shouldn't be so lazy." "You shouldn't be such a jerk.") Write down every solution, no matter what it is.

**Discussion and Evaluation**

Everyone involved should discuss the positives and negatives of each solution suggested. Writing out a list of the pros and cons can help in the evaluation process.

**Select a Solution**

Decide on the solution that will best solve the problem.

**Plan Actions**

Everyone involved should agree on who will do what, where, when, and how to solve the problem.

**Evaluation of Solution**

Set a date and time to discuss whether the solution is working and revise the plan as needed. By facing and confronting problems right away, working relationships can be strengthened and improved. Working relationships that use problem solving can keep everyone working as a team and with less stress.

***Discipline***

Many employers use progressive discipline. Progressive discipline is an order of events used to correct the action of employees. Progressive discipline includes:

- First a verbal warning
- Probation
- Written warning, and finally
- Job termination

## Section 9 Quiz:

### COMMUNICATION SKILLS

Answer these multiple choice questions.

1. Which of the following is not a characteristic of good communication?
  - A. Listening skills
  - B. Understanding the other persons point
  - C. Assertiveness
  - D. The use of "You" statements
  
2. Which of the following is not an advantage of using an "I" statement?
  - A. It helps you to communicate your feelings.
  - B. It helps you relate your experiences.
  - C. It helps you understand the other person's viewpoint.
  - D. It keeps the other person from being defensive.
  
3. As supervisor keeping records and documenting is an important activity. In which of the following would documenting not be very helpful?
  - A. Helping you to remember important events and conversations
  - B. Keeping you from deciding to go over budget
  - C. Helping you identify that an attendant is often late
  - D. Providing evidence of problems when you dismiss an attendant.



## **COMMUNICATION SKILLS**

### **(Answer Key)**

1. Which of the following is not a characteristic of good communication?  
D
2. Which of the following is not an advantage of using an “I” statement?  
C
3. Keeping records and documenting is an important activity for you as a supervisor. In which of the following would documenting not be very helpful?  
B



## *Chapter 10. UTILIZING RESOURCES*

To succeed in CDASS, you need to know and use your resources well. There will be times when you cannot figure out what to do or you do not know certain information. When these situations arise, you will not be able to use the resources from a home health agency. However, you have many other sources for support and information. Some resources including those provided by CDASS, i.e. Peer Trainers, Program Support Specialist, attendant resource list.,

### **10.1 Case Managers**

Case managers who work under the Long Term Care “Single Entry Point” (SEP) systems have important roles in the CDASS program. Case managers will:

- ♦ Determine your eligibility for CDASS
- ♦ Assess your physical needs and limitations
- ♦ Determine your monthly allocation
- ♦ Refer you to PPL CO for training
- ♦ Provide approval start date
- ♦ Contact you by telephone twice a month during the first three months to see how you are doing with CDASS
- ♦ Check in with you by phone quarterly for the first year
- ♦ Reassess your care plan and by reviewing your services every six months
- ♦ Reassess any changes in care needs when requested by you or the HCPF
- ♦ Establish a home health agency if you decide the CDASS program is not going to work for you
- ♦ Review and approve your Attendant Support Management Plan

- ♦ Monitor your care while on CDASS to ensure you are receiving necessary care
- ♦ Review your eligibility for CDASS as needed
- ♦ Review any comments or concerns received from PPL CO
- ♦ Terminate your existing services when you start CDASS Program

## **10.2 PPL CO**

In CDASS, PPL CO, provides all accounting and personnel services for participants. PPL CO will:

- ♦ Manage your account and monitor your allocation expenditures
- ♦ Initially review your ASMP before forwarding it to your case manager
- ♦ Perform criminal background and Board of Nursing checks on all prospective attendants
- ♦ Make payments to your attendants based on your hourly rate category
- ♦ Inform you of procedures and forms required to report changes in workers
- ♦ Inform you of the procedures and forms required for reporting the hours worked by all attendants
- ♦ Act as the co-employer of record for all attendants under CDASS
- ♦ Review the information you send in to make sure it is complete and accurate
- ♦ Inform you when amounts for unemployment compensation or employment taxes change so that you can adjust your budget
- ♦ Approve Post-Training Assessment
- ♦ Provide monthly statements to you so that you can be sure PPL CO is handling your account appropriately and accurately
- ♦ Your monthly statement will include:
  - ♦ Amount of your allocation
  - ♦ Payments made to each attendant
  - ♦ Funds withheld for attendants such as taxes

- ♦ Total funds paid out
- ♦ Amount of your monthly unspent funds
- ♦ Monitor over spending of your allocation

### **10.3 Other Community Resources**

There are many programs and agencies in the community that can be useful to you as a CDASS client. You may know of some of the resources already. Here are some examples where you might find helpful services and information:

- ♦ Independent living centers
- ♦ Area Agencies on Aging
- ♦ Community colleges
- ♦ Public libraries
- ♦ Rehabilitation programs
- ♦ Medical clinics
- ♦ Community centers
- ♦ Places of worship
- ♦ Colorado Workforce Centers

Each person will have somewhat different needs, and each community will have different resources. While you are preparing for CDASS, you should develop a list of possible resources to use in your community.



## *Chapter 11. PPL CO Paperwork*

As you are completing the CDASS training, PPL CO will provide you with Master Packets containing the necessary forms, required and optional, for you and the attendants you plan to hire. The packets contain a checklist so that you will know which forms you or your attendants need to complete and return to PPL CO. The checklist will also tell you what forms of identification your attendants must provide.

As the “employer / supervisor”, you will need to fill out a “PPL Colorado Employment Agreement.” The attendants you hope to hire will need to fill out the required and optional forms.

### **11.1 Required Forms include:**

- Application for Employment. Each attendant completes and signs.
- CDASS Program Client Relationship Information Form
- PPL Colorado Employment Agreement
- Security and Confidentiality Policy for Protection Data
- Criminal Background and Board of Nursing Check Authorization Form.
- IRS Form I-9 Employment Eligibility Verification Form
- IRS Form W-4 Federal Income Tax Form

### **11.2 Optional Forms include:**

- Employee Driver’s License and Auto Insurance Verification Form
- Electronic Fund Transfer Form
- CDASS Client Acceptance of Responsibility for Employment
- Employee Rate Change Form

- Employee Change or Separation from Employment Form

In CDASS, all participants/authorized representatives must work with PPL CO.

Please be aware that PPL CO will not pay your attendants nor provide them with coverage for Workers' Compensation until PPL CO reviews and approves all required forms and information.

**PPL CO will notify you when the attendant is approved and can officially begin work.**

### **Attendants With More Than One**

In CDASS, you may have a chance to hire an attendant who is already working for another CDASS client. If this happens, the attendant may not need to fill out all of the New Employee forms, depending upon when the attendant was hired and under what conditions. This may save some time and effort.

For example, an attendant who was hired last month will not need a criminal background check or Board of Nursing background check. The attendant will not need to provide additional copies of identification.

You and your attendant will need to complete an Application for Employment, CDASS Program Client Relationship Information Form and the PPL Colorado Employment Agreement with any attendant you hire.

As with the hiring of any attendant, you must wait until PPL CO notifies you before this attendant can begin work.

Completing the PPL CO employment paperwork may seem complicated or confusing. PPL CO staff members are available to answer your questions.

## **11.3 On-going relationship with PPL CO**

As long as you are receiving CDASS, you will have an on-going relationship with PPL CO. You will send PPL CO paperwork on new attendants you want to hire. You will submit your employee's time to PPL CO twice a month so that your employees can be paid. You will receive monthly client statements from PPL CO showing how you are using your allocation. You may consult with PPL CO if you are having problems with your attendants or if you have any discrepancies with your monthly client statements.

Throughout your connection with PPL CO, you will have a Program Support Specialist (PSS) available to help understand the paperwork and answer your questions. Feel free to contact PPL CO if you need help understanding this process.

Several places in this manual we talked about the importance of completing forms and otherwise managing paperwork. This is especially true in regards to reporting your employees'

time to PPL CO. The different ways allowable to you regarding submitting attendants' timesheets will be provided to you in the Employee Packet.

### **Timesheet Information**

- **Timesheet Deadlines:** It is critical that you send in time sheets by the deadlines. They are the 1st and 16th of each month by midnight, regardless of the day of the week or of holidays. If you submit time sheets late, they will be processed with the next payroll period. This will result in your employees being paid two weeks later than normal. PPL CO will provide you with blank time sheets.
- **Dark Ink:** Please use dark blue or black ink on your paperwork; especially the timesheets. Other colors do not come through clearly on faxes. **If we cannot read a document, we cannot process it. If we cannot read a time sheet, we cannot pay it.**

**Attendant Timesheets:** As a CDASS client you are responsible for making sure your employees time is reported correctly and on time. You, not your employees, are responsible for making sure his or her time is reported correctly and on time. You may not physically be able to undertake the process, but it is your responsibility to make sure it is handled properly.

**Documented Time Sheet Records:** Keep records of timesheets in case a problem arises. For example, if you re faxing timesheets print a transmission report from your fax machine that shows the fax was successfully transmitted. This report also tells you how many pages were sent. These records help PPL CO in correcting payroll problems should they occur. Maintain timesheets in your attendants employee file.

# **CDASS RULES AND REGULATIONS**

## **8.510 CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES**

### **8.510.1 DEFINITIONS**

Attendant means the individual who provides Consumer Directed Attendant Support Services as set forth in § 8.510.3.

Attendant Support Services Management Training means the required training, including a final, comprehensive assessment, provided by the Department or its designee to a client and/or Authorized Representative who is interested in directing CDASS.

Authorized Representative means an individual designated by the client or the legal guardian, if appropriate, who has the judgment and ability to assist the client in acquiring and utilizing Consumer Directed Consumer Directed Attendant Support Services.

Case Manager is defined at 10 C.C.R. 2505-10, § 8.390.1 C.

Consumer Directed Attendant Support Services (CDASS) means services that assist an individual in accomplishing activities of daily living including Health Maintenance Activities, Personal Care, Homemaker activities and Protective Oversight.

Financial Management Services organization (FMS) is the entity or entities under contract with the Department, which entity is the employer of attendants, and which provides personnel management services, fiscal management and skills training to a client receiving CDASS and/or Authorized Representative.

Health Maintenance Activities is defined at 10 C.C.R. 2505-10, § 8.552.1.

Homemaker services is defined at 10 C.C.R. 2505-10, §8.490.

Inappropriate Behavior means offensive behavior which includes, documented verbal, sexual and/or physical abuse. Verbal abuse is defined as consistent verbal threats, insults or offensive language from the client and/or Authorized Representative over a period of time.

Individual Allocation means the funds made available by the Department to clients receiving CDASS and administered by the FMS.

Personal Care services is defined at 10 C.C.R. 2505-10, §8.489.

Protective Oversight is supervision of the client to prevent at risk behavior that may result in harm to the client.

### **8.510.2 ELIGIBILITY**

8.510.2.A. To be eligible for CDASS, an individual shall:

1. Meet medical assistance eligibility requirements.
2. Be eligible for the Consumer Directed Care model as defined at 25.5-6-1101 C.R.S et seq.
3. Demonstrate a current need for Attendant support.
4. Document a pattern of stable health, which is a condition of health that necessitates a predictable pattern of Attendant support, allowing for variation that is consistent with medically predictable progression or variation of disability or illness. The documentation may include the individual's history of utilization of Medicaid funded Attendant support.



5. Provide a statement from his or her primary care physician that indicates the client has sound judgment and the ability to direct his or her care or has an Authorized Representative who has the ability to direct the care on the client's behalf.

6. Demonstrate the ability to handle the financial aspects of CDASS, through completion of Attendant Support Services Management Training or have an Authorized Representative who is able to handle the financial aspects of CDASS. Ability to handle the financial aspects of CDASS means:

- a. The ability to determine how the Individual Allocation should be spent to ensure that the individual receives necessary Attendant support, both in quantity and quality, and to ensure that Attendants receive appropriate compensation; and
- b. The ability to verify the accuracy of financial and personnel records as provided by the FMS.

7. Demonstrate the ability to manage the health aspects of his or her care, through completion of Attendant Support Services Management Training or have an Authorized Representative who is able to manage the health aspects of his or her care. Managing the health aspects of one's care includes the ability to understand principles and monitor conditions of basic health and the knowledge of how, when, and where to seek medical help of an appropriate nature.

8. Demonstrate the ability to supervise Attendants, through completion of Attendant Support Services Management Training or have an Authorized Representative who is able to supervise Attendants. Ability to supervise Attendants means the knowledge and ability:

- a. To recruit and hire Attendants;
  - b. To communicate expectations;
  - c. To provide training, guidance and review for accomplishment of the Attendant tasks;
  - d. To manage necessary paperwork; and
  - e. To dismiss Attendants when necessary.
9. Complete the Attendant Support Services Management Training and pass the post training assessment.

### **8.510.3 BENEFITS**

Covered benefits shall be for the benefit of the client and not for the benefit of other persons living in the home.

8.510.3.A. Benefits include:

1. Personal Care Tasks, as provided under the Long Term Care Program at 10 C.C.R.2505-10, §8.489.30, including Protective Oversight.

2. Homemaker Services, as provided under the Long Term Care Program at 10 C.C.R.2505-10, §8.490.3 (B).

3. Health Maintenance Activities as defined under the Long Term Care Program at 10 C.C.R. 2505-10, §8.552.1.

#### **8.510.4 CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES MANAGEMENT PLAN**

8.510.4.A. The client and/or Authorized Representative shall develop a written CDASS management plan which shall be reviewed and approved by the Case Manager. The plan shall describe the individual's:

1. Current status;
2. Needs and requirements for CDASS;
3. Plans for securing CDASS;
4. Plans for handling emergencies;
5. Assurances and plans regarding direction of Health maintenance Activities, as described at 10 CCR 2505 -10, §8.510.5, if applicable;
6. Plans for using the Individual Allocation.

#### **8.510.5 DIRECTION OF HEALTH MAINTENANCE ACTIVITIES**

8.510.5.A. A client, who needs Consumer Directed Attendant Support Services for Health Maintenance Activities, shall direct or have an Authorized Representative direct the Attendant in such activities under each the following conditions:

1. The client and/or Authorized Representative indicates on the CDASS management plan that he or she has received adequate instruction from health professionals, and is therefore qualified and able to train Attendants in specified Health Maintenance Activities.
2. The client and/or Authorized Representative list the specific Health Maintenance Activities on his or her CDASS management plan for which he or she will be providing training.
3. The client and/or Authorized Representative verifies on the CDASS management plan the Attendants who will perform Health Maintenance Activities have had or will receive necessary training, either from the client and/or Authorized Representative or from appropriate health professionals.

#### **8.510.6 CLIENT AND/OR AUTHORIZED REPRESENTATIVES RESPONSIBILITIES**

8.510.6.A. As a supervisor of Attendants, a client and/or Authorized Representative shall:

1. Determine wages for each Attendant;
2. Determine what credentials, if any, individuals must have to be employed as Attendants;
3. Train Attendants to meet his or her own particular needs;
4. Dismiss Attendants who are not meeting his or her needs;
5. Establish hiring agreements, in the form provided by the FMS with each Attendant, outlining wages, services to be provided (limited to Personal Care, Homemaker or Health Maintenance Activities), schedules and working conditions;
6. Follow all relevant laws and regulations applicable to client's supervision of Attendants with the exception of those responsibilities set out at § 8.510.13.D as the responsibility of the FMS;
7. Explain the role of the FMS to the Attendant;
8. Budget for Attendant care within the established monthly allocation.

9. Communicate with the FMS regarding the hiring of Attendants, including wage, services to be provided and scheduling information for each Attendant;
10. Review all Attendant timesheets for accuracy and completeness;
11. Submit completed timesheets to FMS by the timelines established by the FMS;
12. Ensure that timesheets are signed by the client and/or Authorized Representative and the Attendant in order for the FMS to issue paycheck to the Attendant; and
13. Authorize the FMS to make any changes in the Attendant wages.

8.510.6.B. To receive CDASS each client and/or Authorized Representative shall sign a responsibilities form acknowledging full responsibility for:

1. Completing training.
2. Developing a CDASS management plan.
3. Budgeting for CDASS within the established monthly allocation.
4. Recruiting, hiring, Terminating and managing Attendants.
5. Completing reference checks on Attendants.
6. Reviewing background checks on Attendants, if applicable.
7. Determining wages for Attendants, within the range established by the FMS.
8. Determining work schedules.
9. Training and supervising Attendants.
10. Following all applicable laws and rules applicable to client's supervision of Attendants
11. with the exception of those responsibilities set out at § 8.510.13.D as the responsibility of the FMS.
12. Completing and managing all paperwork.

#### **8.510.7 START DATE FOR SERVICES**

8.510.7.A. The start date of eligibility for CDASS services shall not occur until all of the requirements defined at 10 C.C.R. 2505-10, § 8.510.2 has been met.

8.510.7.B. The Case Manager shall approve the management plan and establish a start date before a client can begin CDASS.

#### **8.510.8 SERVICE SUBSTITUTION**

8.510.8.A. Once a start date has been established for CDASS, the Case Manager shall disenroll the individual from any other Medicaid-funded Attendant support.

8.510.8.B. In accordance with 25.5-6-1101 (4), C.R.S., while a client is participating in the Consumer Directed Care model, that client shall be ineligible to receive Home Care Allowance as provided in § 8.484. Once an individual has a start date for CDASS, the Case Manager shall disenroll him or her from Home Care Allowance program prior to the start date for CDASS.

8.510.8. C. Case Managers shall not authorize payments for CDASS and Personal Care services, Homemaker services, and Health Maintenance Activities for the same individual.

#### **8.510.9 CLIENT AND AUTHORIZED REPRESENTATIVE RIGHTS**

8.510.9.A. A client receiving or requesting CDASS whose Attendant Support Services management plan is disapproved by the Case Manager has the right to review that disapproval. The client shall submit a written request to the SEP stating the reasons for requesting the review and justifying the proposed management plan. The client's most recently approved Attendant Support Services management plan shall remain in effect while the review is in process.

8.510.9. B. Clients receiving CDASS have the right to transition back to Personal Care, Homemaker, and Home Health Aide and Nursing services provided by an agency at any time. A client who wishes to transition back to an agency-provided services shall contact the Case Manager. The Case Manager shall coordinate arrangements for the services.

8.510.9.C. A client and/or Authorized Representative may request a re-assessment, as described at §8.390.1 (N), if he or she believes that his or her level of service needs to be adjusted.

8.510.9.D. A client and/or Authorized Representative may revise his or her CDASS management plan at any time, as long as the Case Manager approves the revised plan.

#### **8.510.10 INVOLUNTARY TERMINATION**

8.510.10.A. A client may be terminated from CDASS for any one of the following reasons:

1. The client and/or Authorized Representative fail to comply with CDASS program requirements;
2. The client and/or Authorized Representative demonstrates an inability to manage Attendant support;
3. A client's and/or Authorized Representative's physical or cognitive condition deteriorates to the point that he or she no longer meet program criteria and the client refuses to designate an Authorized Representative to direct services on his/her behalf;
4. The client and/or Authorized Representative continue to spend the monthly allocation in a manner indicating premature depletion of funds;
5. The client and/or Authorized Representative exhibits Inappropriate Behavior toward Attendants and the Department has determined that the FMS has made adequate attempts in assisting the client and/ or Authorized Representative to resolve the Inappropriate Behavior and resolution has failed.
6. The client's medical condition that causes an unsafe situation for the client, as determined by the treating physician; and/or
7. Documented misuse of the monthly allocation by client and/or Authorized Representative as documented by the Case Manager or FMS.

#### **8.510.11 DISCONTINUATION OF CONSUMER DIRECTED ATTENDANT SUPPORT SERVICES**

8.510.11.A. A client may be discontinued from CDASS when the Case Manager has secured equivalent care in the community.

8.510.11.B. The Case Manager shall notify the client and/or Authorized Representative in writing at least twenty (20) calendar days prior to the termination, that he or she is no longer eligible for CDASS, and that the client and/or Authorized Representative should contact his or her Case Manager for assistance in obtaining other home care services. The notice shall

provide the client and/or Authorized Representative with the reasons for termination and with information about the client's rights to fair hearing and appeal procedures, in accordance with 10 C.C.R. 2505-10, §

8.057. Exceptions may be made to the twenty (20) day advance notice requirement when the Department has documented that there is danger to the client or to the Attendant(s), the Case Manager shall notify the FMS of the date on which the client is being terminated from CDASS.

#### **8.510.12 CASE MANAGEMENT FUNCTIONS**

8.510.12.A. The Case Manager shall review and approve the CDASS management plan completed by the client and/or Authorized Representative. The Case Manager shall notify the client and/or Authorized Representative of the approval and establish a start date.

8.510.12.B. If the Case Manager determines that the CDASS management plan is inadequate to meet the client's CDASS needs, the Case Manager shall assist the client and/or Authorized Representative with further development of the CDASS management plan.

8.510.12.C. The Case Manager shall calculate the initial Individual Allocation for each client who chooses CDASS as follows:

1. Calculate an average monthly payment using prior utilization expenditures for Personal Care, Homemaker, and Home Health Aide and Nursing services, or
2. Calculate the number of Personal Care, Homemaker, and Health Maintenance Activities hours needed on a monthly basis as defined on the Care Plan and multiply by the Departments established rate for Personal Care, Homemaker, and Health Maintenance Activities services for clients who have insufficient utilization history.

8.510.12.D. The Case Manager shall provide written notification of the Individual Allocation to each client.

8.510.12.E. A client and/or Authorized Representative who believes that he or she needs more CDASS than the existing Individual Allocation will cover, may request the Case Manager to perform a reassessment. If the reassessment indicates that more CDASS are justified, the client and/or Authorized Representative shall amend the Attendant Support Services management plan and the Case Manager shall complete a Prior Authorization Request (PAR) revision indicating the increase and submit it to the Department's fiscal agent.

8.510.12.F. In approving an increase in the Individual Allocation, the Case Manager shall consider:

1. Any change in the client's condition.
2. Discrepancies between the client's utilization history and current needs for CDASS.
3. The appropriateness of Attendant wages.
4. The quality and quantity of services provided by Attendants for the wages they receive.
5. Revisions in the client's budgeting of the current Individual Allocation to more effectively pay for needed services.

8.510.12.G. In reducing an Individual Allocation, the Case Manager shall consider:

1. Improvement or changes in the condition.

## 2. Reasons for unspent allocated funds.

8.510.12.H. Case Managers shall notify the state fiscal agent to cease payments for all existing Medicaid-funded Personal Care, Homemaker, Health Maintenance Activities and/or Long Term Home Health as defined under the Home Health Program at 10 C.C.R. 2505-10, § 8.520 et seq. as of the clients CDASS start date.

8.510.12.I. For effective coordination, monitoring and evaluation of clients receiving CDASS, the Case Manager shall:

1. Contact the client receiving CDASS and/or Authorized Representative twice a month during the first three months to assess their CDASS management, their satisfaction with care providers and the quality of services received.
2. Contact the client quarterly, after the first three months to assess their implementation of service plans, CDASS management issues, and quality of care, CDASS expenditures and general satisfaction.
3. Conduct a face-to-face visit with the client and/or Authorized Representative when a change in Authorized Representative occurs and contact the client and/or Authorized Representative twice a month for three months after the change takes place.
4. Review monthly reports to monitor client spending patterns and service utilization to ensure appropriate budgeting and follow up with the client and/or Authorized Representative when discrepancies occur.
5. Contact the FMS quarterly to determine the status of each client's financial management activities.

8.510.12.J. Reassessment:

For clients receiving CDASS, the Case Manager shall conduct a face-to-face interview with each client and/or Authorized Representative every six months. The interview shall include review of the CDASS management plan and documentation from the physician that the client and/or Authorized Representative have the ability to direct the care.

## **8.510.13 ATTENDANTS**

8.510.13.A. Attendants shall be at least 16 years of age and demonstrate competency in caring for the client to the satisfaction of the client and/or Authorized Representative.

8.510.13.B. Attendants shall not represent herself or herself to the public as a licensed nurse, a certified nurse's aide, a licensed practical or professional nurse, a registered nurse or a registered professional nurse.

8.510.13.C. Attendants shall not have had his or her license as a nurse or certification as a nurse aide suspended or revoked or his application for such license or certification denied.

8.510.13.D. The FMS shall be the employer of record for all Attendants. The FMS shall be responsible for worker's compensation insurance, unemployment compensation insurance, withholding of all federal and state taxes, compliance with federal and state laws regarding overtime pay and minimum wage requirements and compliance with any other relevant federal, state, or local laws.

8.510.13.E. Attendants shall receive an hourly wage based on the rate negotiated between the Attendant and the client and/or Authorized Representative. The FMS shall make all payments

from the client's Individual Allocation under the direction of the client and/or Authorized Representative.

#### **8.510.14 LIMITATIONS ON PAYMENT TO FAMILY AND/ OR LEGAL GUARDIANS**

8.510.14.A. Family members and/ or legal guardians may be employed by the FMS to provide CDASS, subject to the conditions below. For the purposes of this section, family shall be defined as all persons related to the client by virtue of blood, marriage, adoption, or common law.

1. The family member and/or legal guardian shall be employed by the FMS and be supervised by the client and/or Authorized Representative if providing CDASS.

2. The family member and/ or legal guardian providing Personal Care, Homemaker, and/or Health Maintenance Activities shall be reimbursed at an hourly rate by the FMS which employs the family member and/or legal guardian, with the following restrictions:

- a. A family member and/or legal guardian shall not be reimbursed for more than forty (40) hours of CDASS in a seven day period.
- b. A spouse may only be paid to furnish extraordinary care as determined by the Case Manager. Extraordinary care is determined by assessing whether the care to be provided exceeds the range of care that a spouse would ordinarily perform in the household on behalf of a person without a disability or chronic illness of the same age, and which are necessary to assure the health and welfare of the client and avoid institutionalization. Extraordinary care shall be documented on the service plan.
- c. A client and/or Authorized Representative must provide a planned work schedule to the FMS a minimum of two weeks in advance of beginning CDASS, and variations to the schedule shall be noted and supplied to the FMS when billing.
- d. A married individual shall be offered a choice of providers. A client and/or Authorized Representative who choose a spouse as a care provider, shall document the choice on the Attendant Support Services management plan.

#### **8.510.15 ATTENDANT REIMBURSEMENT**

8.510.15.A. Attendants shall receive an hourly wage based on the rate negotiated between the Attendant and the client and/or Authorized Representative hiring the Attendant. The Fiscal Management Services organization shall make all payments from the client's Individual Allocation under the direction of the client and/or Authorized Representative.